



OFFICE OF ENVIRONMENTAL REMEDIATION

100 Gold Street, 2nd Floor
New York, New York 10038

Daniel Walsh, Ph.D.
Director

Tel: (212) 788-8841

December 3, 2012

Ms. Lisa Jackson
Administrator
US Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20004

c/o Mr. Don West, Environmental Management Support, Inc.

Dear Administrator Jackson:

Enclosed please find an application for a Brownfields Revolving Loan Fund Grant for New York City.

Pertinent applicant information follows:

- a. Applicant: New York City
Mayor's Office of Environmental Remediation
100 Gold St, 2 Fl.
New York, NY 10038
- b. Applicant DUNS number: 965048098
- c. Funding Requested:
 - i. RLF
 - ii. \$1,000,000 (waiver n/a)
 - iii. Contaminant: \$1,000,000 Hazardous Substances
- d. Location: New York, NY
- e. Contacts
 - i. Project Director
Daniel Walsh, Director
Mayor's Office of Environmental Remediation
100 Gold St, 2 Fl.
New York, NY 10038
(212) 676-0386
DWalsh@cityhall.nyc.gov

ii. Chief Executive
Michael R. Bloomberg, Mayor
City Hall
New York, NY 10007
212-NEW-YORK
<http://www.nyc.gov/html/mail/html/mayor.html>

- f. Date submitted: On or before December 3, 2012
- g. Project Period: October 1, 2013 - September 30, 2018
- h. Population: 8,244,910 (American Community Survey 2011)
- i. Special Considerations Checklist: See Attachments

I am excited about the opportunity this grant will provide to New York City, and look forward to a favorable response.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Walsh". The signature is fluid and cursive, with the first name "Daniel" and last name "Walsh" clearly distinguishable.

Daniel Walsh, Ph.D.
Director

THE CITY OF NEW YORK
APPLICATION FOR REVOLVING LOAN FUND GRANT
DECEMBER 3, 2012

1. Community Need:

a. Health, Welfare, and Environment: New York City (NYC) is the most populated city in the country with over 8 million people; resulting in a density well over 300 times the national average. In its strategic planning documents, the City estimated that NYC has over 7,600 acres of brownfields. This includes approximately 4,000 acres of vacant manufacturing land and 1,700 acres of vacant land that contains contaminated historic fill. NYC Department of Finance and Department of City Planning data from 2009 indicate that the City has over 3,150 vacant commercial and industrial lots, most of which are brownfields due to suspected contamination associated with prior site operations. In addition, through its upzoning process for industrial areas, the City has identified over 5,300 sites that require environmental contamination to be addressed when they are redeveloped. These properties contain a wide assortment of contaminants commonly found in soils and groundwater, such as chlorinated solvents, PAHs, and metals at concentrations exceeding health-based risk standards and many are located in areas affected by tidal storm surge from Hurricane Sandy

Brownfields in NYC cluster in poor and disadvantaged neighborhoods where land values often are too low to support the cost of environmental cleanup. These include historically industrial areas and transportation corridors, but also residential areas in low-income communities not commonly associated with brownfields, due to the city's long history of unregulated use of contaminated materials to fill lowlands, illegal dumping, and the absence of zoning regulations in the early part of the 20th century when industrial activity was at its peak. These practices have left a profound environmental legacy in these communities where few resources are available to address brownfields. The size of these sites ranges from several thousand square feet to several acres.

To tackle this problem, community based organizations (CBOs) in 19 of NYC's economically distressed neighborhoods that bear the burden of a disproportionate number of brownfields are conducting area-wide brownfield planning through the NY State Brownfield Opportunity Areas (BOA) Program. These neighborhoods are subjected to a host of environmental justice issues. At community meetings in these low-income areas, local residents and other stakeholders complain of the prevalence of and problems associated with contaminated sites, along with other disproportionate impacts including air pollution, truck traffic from numerous commercial transportation routes, tidal surge risks, lack of employment opportunities, inadequate recreational space, dearth of safe and affordable housing, inaccessibility of healthy fresh food, and scarce community facilities for youth and seniors.

EPA RLF monies will be targeted within such disadvantaged neighborhoods that contain clusters of brownfields, disproportionate impacts and strong community need anchored by strong community based organizations. These communities are also home to many sensitive populations, including children and minorities. The areas include Harlem, East New York, and West Central Brooklyn, along with communities that in addition to dealing with brownfield issues are suffering from the impacts of Hurricane Sandy, such as the South Bronx and the North Shore of Staten Island.

According to the 2006-2010 American Communities Survey data set, New York City's minority populations are more than twice the national average. Example Census Tract 51 in the South

Bronx, that includes the *Port Morris BOA* local brownfield planning initiative, has a minority population of over 80%. Example Census Tract 232 in Harlem, home to the *Under the Viaduct BOA* has a minority population of over 90%. Example Census Tract 74 in West Central Brooklyn that contains the *Sunset Park BOA* has a minority population of nearly 60% (see Table 2). These sample Census Tracts also contain disability rates significantly higher than the national and state averages.

Table 1: Sensitive Populations and Quality of Life Indicators¹

	US	New York State	New York City	South Bronx ²	Harlem ²	West Central Brooklyn ²
Language Other Than English At Home	20.1%	29.2%	48.3%	53.9%	35.2%	91.4%
Households With Individuals \leq 18	33.9%	32.8%	31.9%	39.8%	43.1%	51.9%
Population of women of childbearing age (15-50)	25.1%	25.9%	27.4%	27.7%	30.9%	36.7%
Population Lacking High School Level Education	17.1%	15.6%	21.0%	44.7%	30.1%	60.6%
Population 5-15 With Disability ³	8.1%	8.8%	10.0%	16.7%	9.7%	9.3%
Population 16-64 With Disability ³	19.2%	21.0%	25.6%	43.4%	37.1%	39.1%
Population 65+ With Disability ³	41.9%	40.3%	46.2%	65.0%	63.9%	44.4%

¹Data from 2006 – 2010 American Communities Survey, US Census Bureau unless otherwise noted.

² Sample census tracts used to illustrate the demographics in the type of area of need that will be targeted by this EPA grant are as follows: South Bronx, census tract 51; Harlem, census tract 232; and West Central Brooklyn, census tract 74.

³Data from 2000 US Census. Data from 2010 Census and 2006-2010 American Communities Survey not available.

Lead poisoning is a significant health problem in the City. NYC Department of Health & Mental Hygiene (DOHMH) 2012 report shows that 1,183 children under the age of 6 were newly identified with a blood lead level of 10µg/dL or higher, at which point adverse health effects such as lowered reading levels, impaired hearing, reduced attention span, and hyperactivity have been shown to occur. New York City children remain at risk for lead exposure due primarily to the prevalence of old housing stock (two-thirds of NYC housing stock was built before 1960) in combination with other environmental exposure factors which could include lead-contaminated soils from brownfield sites in their neighborhoods. Although lead poisoning affects children of all ages, races, and incomes, DOHMH notes that certain populations are at greater risk, including sensitive populations found within the targeted areas to include low-income children living in older, deteriorated housing; children of color; and children born outside the US.

NYC residents experience some of the highest asthma rates in the nation. The *New York State Asthma Surveillance Summary Report* (October 2009) states that compared to the nation, New York has higher asthma emergency room visits and hospital discharge rates for all age groups. Children in NYC were more than twice as likely to be hospitalized for asthma as children in the United States as a whole. DOHMH 2007-08 data show 51,711 hospitalizations of children 14 or under for asthma in New York City. Moreover, asthma hospitalization rates in NYC are more than three times higher for low-income neighborhoods such as represented by the targeted areas containing substantial numbers of brownfields than for the most affluent neighborhoods (DOHMH's *Statewide Planning and Research Cooperative System*).

According to a study conducted in the South Bronx, high prenatal exposure to PAHs, a known carcinogen found throughout the target areas, is associated with lower IQ and childhood asthma (*Columbia Center for Children's Environmental Health*). Work from other researchers at this institute further draws a link that exposure to PAH pollution during pregnancy is related to adverse birth outcomes including low birth weight, premature delivery, and heart malformations. The high percentages of women of child-bearing age in our sample neighborhoods, as shown in Table 1, underline the importance of this finding for our communities of need. Follow-up studies show a higher level of developmental delays at age three, and lower scores on IQ tests and increased behavioral problems at ages six and eight. The prevalence of PAHs in brownfields provides a possible correlation to the low educational attainment levels found in distressed areas with multiple brownfields where we will target our grant funds.

Rates of diabetes and obesity have dramatically increased in New York City. While the national prevalence of adult diabetes is 6.95% according to the Centers for Disease Control's 2010 data, DOHMH's 2010 data shows New York City's adult diabetes prevalence at 9.7%. Diabetes disproportionately affects Black and Hispanic New Yorkers (12.3% and 12.0% respectively), vs. White (6.9%) and Asian (7.8%) residents (*NYC Community Health Survey 2010*). Further, this 2010 study reported that more than half of adult residents are overweight (35%) or obese (29%). Nearly half of the City's elementary students are either overweight or obese, and one in five kindergarteners is obese. Lack of greenspace available for exercise and recreation in low-income neighborhoods may be an important contributing factor.

b. Financial Need: RLF funds will be focused in neighborhoods of demonstrated need, where residents generally live with low income levels and alarming poverty rates relative to the US, the state, and NYC as a whole. Demographic data are presented below.

Table 2: Residential Financial Need Demographic Data¹

	US	New York State	New York City	South Bronx ²	Harlem ²	West Central Brooklyn ²
Population	303,965,272	19,229,752	8,078,471	5,361	8,316	5,582
Minority Population ³	26.0%	33.6%	55.6%	83.1%	92.8%	58.4%
Unemployment Rate	7.9%	7.5%	8.8%	12.8%	15.6%	7.6%
Per Capita Income	\$27,334	\$30,948	\$30,498	\$10,059	\$13,335	\$12,842
Median Household Income	\$51,914	\$55,603	\$55,177	\$16,283	\$22,955	\$30,805
Families Below Poverty	10.1%	10.8%	16.2%	36.6%	39.9%	33.7%
Families w/Female Householder, No Husband Present Related Children < 18 Below Poverty	28.9%	27.0%	30.0%	40.6%	46.5%	50.4%
Individuals Below Poverty	13.8%	14.2%	19.1%	41.8%	43.0%	31.4%

¹ Data from 2006 - 2010 American Communities Survey, US Census Bureau unless otherwise noted.

² Sample census tracts used to illustrate the demographics in the type of areas of need that will be targeted by this EPA grant are as follows: South Bronx, census tract 51; Harlem, census tract 232; and West Central Brooklyn, census tract 74.

³ Data represents respondents identifying themselves as a race other than white.

Brownfield areas in NYC are generally co-located with the highest incidences of poverty. The poorest congressional district in the country is the NY 16th in the South Bronx, which had 422 vacant commercial and industrial parcels, comprising 129 acres of underutilized and potentially contaminated land as identified in 2009 (www.nyc.gov/SPEED). In the West Central Brooklyn

neighborhood, over 136 potential brownfield sites were identified. These neighborhoods illustrate the focus areas for the grant – economically distressed areas with community based organizations and planning foundations and a high number of brownfield sites.

According to DOL's Index of Coincident Economic Indicators, recessions in New York have tended to last significantly longer than their national counterparts, and this trend has become more pronounced over the past 20 years. On 6 October 2010, the Empire Center for New York State Policy released a report documenting that New York's job loss relative to other states ranked as the worst in the nation from 1993 to 2007. The state's net job-migration loss was the worst of any state. The bulk of the outmigration loss—89%, or 129,560 jobs—was in NYC.

The City's fiscal health has not fared well either. The City's dedicated brownfield funding has been reduced by more than 50% over the past several years in a series of budget cuts and remaining funds are fully earmarked. Resources from the state to address brownfields have also been deeply cut. The tax credits for remediation projects under New York State's Brownfield Cleanup Program were scaled back in 2008 and deferred for three years beginning in 2011. The State's Environmental Restoration Program for cleanups on municipally-owned properties was depleted in 2007 with no plans for replenishment.

The latest economic setback is the huge cost that will have to be borne to restore the city after the devastation caused by Superstorm Sandy. Governor Cuomo reports that damage from Sandy will cost New York \$42 billion dollars in property damage and economic losses, in a year where the state was already facing a \$1 billion deficit. Mayor Bloomberg estimates the costs to the City at \$19 billion as entire neighborhoods need to be rebuilt, along with associated infrastructure. Questions pertaining to the effects of storm surges on waterfront brownfields are coming in to OER, and EPA RLF funding will help us answer them.

NYC has received prior EPA brownfields grants. Each month we get up to ten requests for brownfield funding, primarily for projects in the city's most disadvantaged communities. The vast bulk of existing funding has already been earmarked for projects that are in the pipeline; leaving very little available to meet these additional needs. Due to Superstorm Sandy, an opportunity arose to move a priority City parkland site to cleanup. As a result, we are allocating almost all RLF loan and sub-grant funding to remediate the Mariners Marsh Park on Staten Island while an opportunity exists to leverage Federal, State, and local resources providing aid for Sandy after effects. We expect to exhaust all existing EPA grant funds before September 2013. Given the increased demand for financial resources, the sheer volume of thousands of brownfield sites throughout the City that need to be addressed, the growing popularity of the City's brownfield program, and the desperate need for funding to enable projects in economically distressed neighborhoods to proceed, we still have a need for EPA RLF funding.

2. Project Description and Feasibility of Success:

a. Project Description:

i) EPA dollars will be directed toward those projects that are a priority of the community, have a local driver, and have a viable end use that benefits the neighborhood in which it is located. The projects' end uses will be primarily affordable housing, open space, and public use facilities such as community centers and health clinics. Special consideration will be given to projects in distressed areas impacted by Sandy, as these neighborhoods struggle to rebuild and develop beneficial reuses on their brownfield sites.

NYC launched the NYC Brownfield Cleanup Program, the nation's first municipally-run brownfield voluntary cleanup program (VCP) in January 2011. The City VCP works closely with New York State to provide owners and developers of brownfields throughout NYC with the regulatory framework to remediate lightly to moderately contaminated sites. The City VCP was formally recognized by EPA in August of 2011. If awarded, the EPA RLF funds will focus on funding sites in communities of need through the City VCP process to ensure successful completion of remediation activities.

NYC's RLF program will be designed to be a sustainable source of environmental cleanup funds. With the vast inventory of brownfield sites in NYC, it would be easy to dilute the effectiveness of an EPA investment for a RLF pool. However, by focusing EPA RLF monies in the targeted communities of need and supplementing the EPA funds with financial leverage from the Mayor's Office of Environmental Remediation (OER), we will ensure that remediation funding is in hand to not only complete the remediation but also ensure that EPA funding is bolstered and leveraged over and over.

Be they loan or sub-grant applicants, OER will accept applications on a rolling basis. All applicants will be initially vetted and must adhere to the following pre-qualifying criteria: the projects must be classified as "preferred community projects" (priority site in a local community planning efforts, a church, community center, affordable housing, etc.) and using the RLF as gap funding to complete the remediation. The prospective borrowers/sub-grantees will then be vetted for EPA eligibility criteria.

Once applicants are deemed as "initially-qualified", the project pro-formas will then be vetted to ensure that the projects receiving EPA RLF funding have the financial backing to move all the way through the development process. Applicants must include firm commitments from lenders, funding agencies or other financial sources to show the strength of financial commitments for the development upon completion of the remediation. Also included among the application requirements are: sources / uses of funds for the development; tax returns; proof that the applicant is current with all state and city taxes; environmental documents to include a Phase I, Phase II; and a remedial action workplan commensurate with the cleanup cost estimates. This process will ensure that EPA loan/sub-grant funds are only used on those projects that will have sufficient funding in place to cover all brownfields redevelopment activities and costs. Loan terms will be a maximum of up to 10 years to provide a healthy cash flow for replenishing the fund without compromising the viability of the targeted redevelopment projects. Interest rates will be flexible to support the project cash flows, varying from 0% to 2% below prime.

ii) As previously noted, the number of NYC brownfield sites is extensive. Through our local VCP, we see clear patterns of brownfield sites clustering in communities of need, with over 70% of 88 current sites enrolled in the City VCP located in low-income neighborhoods. In order to have the greatest impact where it is most needed, we intend to target those projects identified by residents, the City and other stakeholders in local planning initiatives for reuse as affordable housing projects, community facilities, community gardens or parks, or other beneficial projects in economically distressed areas. Entities that advance such projects typically are Community Based Organizations (CBOs) such as affordable housing developers, not for profit local economic development corporations and community development corporations. It is anticipated that this ready pool of CBOs will be sub-grantees, and that both non-profit and for profit developers will use EPA RLF grant funds. It is also envisioned that the City will also loan to itself as allowed by the EPA RLF program guidelines. Marketing for our City VCP to date has been directed toward stakeholders including CBOs and other stakeholders engaged in local planning initiatives. Our

existing marketing efforts have successfully attracted scores of community development projects to our local VCP in the last year; the EPA RLF will be an additional tool to incentivize the redevelopment of brownfields in NYC.

iii) Our team is structured to ensure strong project management and proper cleanups. OER, with its staff of 15 scientists, engineers and analysts, was created in 2008 with the sole focus of implementing NYC's brownfield revitalization efforts. OER's Director, Dr. Daniel Walsh, is a contaminant geochemist who previously served as the Chief of New York State's Superfund and Brownfield Program in New York City. OER's staff possesses the in-house capacity to oversee the technical work being performed in the municipal VCP. Recently OER has contracted with an experienced environmental management firm to provide assistance with the programmatic and reporting implementation of our existing EPA grants.

Following all applicable procurement requirements, OER has contracted with a fund manager that has EPA RLF management experience, Brownfield Redevelopment Solutions, Inc. (BRS). BRS is well versed in EPA grant management requirements as well as running local economic development programs. Dedicated Certified Economic Development Professionals experienced with running EPA RLF programs perform loan underwriting. The fund manager works with prospective borrowers to complete the loan application documents, process the loan applications, mentor the borrowers, and administer the loan tracking systems. The fund manager uses the underwriting evaluation criteria presented above to ensure that the loan recommendations submitted to OER are made with the strongest possible financial review and that any sub-grant applicant project is fully evaluated for fiscal viability and community benefit consistent with the requirements set forth in the City's initial EPA RLF grant proposal.

It is the intent of OER to not accept loan payments or charge interest in order to avoid generating program income until after the close out of the cooperative agreement. Given this approach, an entity will not be hired to conduct loan servicing until after the cooperative agreement close out. OER will contract with a loan servicer in accordance with all applicable procurement requirements. The loan servicer will service all RLF loans, to include that being entered into for our existing RLF grant, to ensure that the expertise to successfully revolve the fund is in place. Given NYC's number of Community Development Financial Institutions (CDFIs) and local EDCs that manage community revolving loan funds for various purposes, it is expected that a ready-made pool of uniquely qualified community based lenders to serve as loan servicers will be readily available.

b. Budget for EPA Funding, Tracking and Measuring Progress, and Leveraging Other Resources:

i) The project budget is presented below:

Budget Categories	Project Tasks for Loans					
	Task 1 Programmatic Expenses	Task 2 Marketing & Outreach	Task 3 Fund Management	Task 4 On-Scene Coordinator	Task 5 Loans	Total
Personnel				\$10,000		\$10,000
Fringe Benefits				\$2,500		\$2,500
Travel	\$1,000					\$1,000
Equipment						\$0
Supplies		\$1,000				\$1,000
Contractual	\$7,500		\$10,500			\$18,000
Loans					\$467,500	\$467,500
Other						-
Total EPA	\$8,500	\$1,000	\$10,500	\$12,500	\$467,500	\$500,000
Cost Share					\$100,000	\$100,000
BUDGET TOTAL	\$8,500	\$1,000	\$10,500	\$12,500	\$567,500	\$600,000

Budget Categories	Project Tasks for Subgrants					
	Task 1 Programmatic Expenses	Task 2 Marketing & Outreach	Task 3 Fund Management	Task 4 On-Scene Coordinator	Task 5 Sub-Grants	Total
Personnel				\$10,000		\$10,000
Fringe Benefits				\$2,500		\$2,500
Travel	\$1,000					\$1,000
Equipment						\$0.00
Supplies						\$0.00
Contractual	\$7,500		\$13,500			\$21,000
Subgrants					\$465,500	\$465,500
Other						-
Total EPA	\$8,500	\$0.00	\$13,500	\$12,500	\$465,500	\$500,000
Cost Share					\$100,000	\$100,000
BUDGET TOTAL	\$8,500	\$0.00	\$13,500	\$12,500.00	\$565,500	\$600,000

Task 1 Programmatic Expenses: OER will fulfill the EPA grant programmatic requirements with a combination of in-house staff and a grant management contractor for the duration of the five year performance period. Activities performed under this task will be those necessary for implementation and management of the grant. Outputs associated with this task include attendance at conferences and workshops, generation of solicitation documents, quarterly reports, MBE/WBE reporting forms, and Financial Reports.

Loan Budget:

Management Consultant: 5 years est. @\$1,500/year

\$7,500

Travel: for 2 EPA conferences or workshops @\$500/event

\$1,000

Task 1 Subtotal for Loan Budget

\$8,500

Sub-grant Budget

Management Consultant: 5 years est. @\$1,500/year	\$7,500
Travel: for 2 EPA conferences or workshops @\$500/event	\$1,000
<i>Task 1 Subtotal for Sub-grant Budget</i>	<u>\$8,500</u>

Task 2 Marketing & Outreach: OER will provide outreach to the CBOs, non-profit entities, developers and others as necessary to publicize the benefits and availability of the RLF program. We anticipate the majority of the marketing will be conducted in conjunction with the robust marketing efforts currently undertaken with publicizing our existing brownfields programs and initiatives. As such, the actual time attributed to marketing will be provided as in-kind time. Given our existing experience with marketing and outreach efforts on our existing EPA grants, we expend a minimum of \$200 /year with for printer supplies, paper, copies of maps, brochures and other such material. EPA funds will be used to offset such supply costs. Outputs associated with this task are marketing materials generated, developer meetings held, and number of community meetings held.

Loan Budget:

Supplies: 5 years est. @\$200/year	\$1,000
<i>Task 2 Subtotal for Loan Budget</i>	<u>\$1,000</u>

Sub-grant Budget

<i>Task 2 Subtotal for Sub-grant Budget</i>	<u>\$0</u>
---	------------

Task 3 Fund Management: OER will contract with a qualified fund manager for performance of fund management activities. Costs associated with the fund manager underwriting effort include reviewing title work and appraisals, evaluating the community benefit, and assessing the financial viability of both the project and, in the case of loan applicants, the borrower. Activities associated with the servicing of the loans include collection and depositing of repayments, notification of delinquencies, and reporting to OER. Compensation for the loan servicing work is expected to be a negotiated amount of the interest payments received and processed and is therefore not included in the first generation budget of the grant. Outputs associated with this task are the number of loan/sub-grant applications received and processed, number of loan/sub-grant applications recommended for approval to OER, number of loan/sub-grant applications approved, number of financial reports generated and repayment success rate.

Loan Budget:

Underwriting 7 hazardous substance loans: est. 7 (@ \$1,500/loan)	\$10,500
Servicing Loans: Cost to be paid from interest collected	<u>\$0</u>
<i>Task 3 Subtotal for Loan Budget</i>	<u>\$10,500</u>

Sub-grant Budget

Underwriting 9 hazardous substance sub-grants: est. 9 (@ \$1,500/grant)	\$13,500
<i>Task 3 Subtotal for Sub-grant Budget</i>	<u>\$0</u>

Task 4 On-Scene Coordinator: OER will provide technical support for implementation of the EPA RLF program. As previously described in Section 2.a. iii), OER will provide support needed to manage the technical aspects of the RLF. Outputs associated with this task are the number of loan/sub-grant sites and applicants deemed eligible for funding, number of ABCAs, Decision Memos and Administrative Records generated, site visits, reporting, number of community meetings attended and other on-scene coordinator related activities. Actual time contributed for this task will be partly funded by the EPA grant at an estimated rate of \$2,500 per year and the rest of the time to be provided as In-Kind time.

Loan Budget:

OSC time: personnel est. (@\$2,000/year for 5 years	\$10,000
OCC fringe benefits: fringe est. @25% of personnel or \$500/year	<u>\$2,500</u>
<i>Task 1 Subtotal for Loan Budget</i>	<i>\$12,500</i>

Sub-grant Budget

OSC time: personnel est. (@\$2,000/year for 5 years	\$10,00
OCC fringe benefits: fringe est. @25% of personnel or \$500/year	<u>\$2,500</u>
<i>Task 1 Subtotal for Sub-grant Budget</i>	<i>\$12,500</i>

Task 5 Loans or Sub-grants: OER will issue remediation loans or sub-grants to applicants that have been approved for funding. Given the nature and size of our typical hazardous substance sites, it is anticipated that \$567,500 in loans comprised of seven hazardous substance loans at just over \$81,071/site will be made from the first generation funds. Of the loan amount allocated to Task 5, we will provide \$100,000 as match funding. For the sub-grants, it is anticipated that \$565,500 in sub-grants comprised of nine hazardous substance sub-grants at just under \$62,834/site will be made from the EPA RLF program. Of the sub-grant amount allocated to Task 5, we will provide \$100,000 as match funding. Outputs from this task will be the amount of funding lent to developers, the number of loans issued, the amount of sub-grants to be provided to non-profits, the number of sub-grants issued and the acres of land which will be cleaned up through the EPA RLF program.

ii) Tracking and Measuring Progress: We have a keen interest in demonstrating the progress and accomplishments of all our brownfield efforts. We will employ the same robust process we have established to measure metrics for projects in our program to those funded through the EPA grants. Outputs currently being tracked include: site acreage, number of sites, reports generated. Outcomes being tracked include: planned reuses, construction and permanent jobs created, additional dollars leveraged, acres of greenspace created, the timeline and costs of remediation and construction, and the amount of land made safe for communities' needs in both acres and numbers of sites. We communicate frequently with contractors, developers, and regulators to ensure that new data is collected and recorded in a consistent manner. We will use this information for progress reports and for measuring the effectiveness and success of our programs as well as that of our contractors performing EPA-funded work. This data collection is an integral part of our program and is collected via a mandatory questionnaire for all sites, including those that are addressed through EPA grant funding. This ensures consistent and timely data collection and reporting through the life of the project.

OER will oversee the preparation of the quarterly reports and other required reporting such as MBE-WBE utilization forms and Federal Financial Reports. In addition, Property Profile information will be generated and updated regularly on ACRES for each site targeted for cleanup by the EPA grant, to include updates on the Outcomes and Outputs.

iii) Leveraging: It is envisioned that the EPA RLF grant funds will play a critical role in funding brownfield projects and will leverage additional funding sources that will ensure their success. We have established an extensive series of programs, available during the project period, to provide funds to leverage EPA RLF funds (see Attachment E for additional documentation):

- Community Outreach and Planning: New York State's Brownfield Opportunity Areas (BOA) program funds CBOs to conduct community engagement, planning, and economic development activities in distressed areas burdened by clusters of brownfields to catalyze neighborhood revitalization. To date, \$6.5 million has been awarded by NYS to CBOs for 19 areas throughout

NYC, with awards ranging from \$45,000 to \$1.5 million, which represent the areas where we will target our EPA funds. These awards are available to groups throughout reuse planning efforts, and EPA grant funds will build on the work done through these State grants. A sample of these award letters is contained in Attachment E.

- **CBO Technical Assistance:** NYC will leverage small technical assistance grants of up to \$10,000 to CBOs to build capacity in areas with clusters of brownfields and to provide help with understanding the environmental process associated with redeveloping a brownfield site. In addition, CBOs can access the power of the local brownfields industry through the NYC Brownfields Partnership, a non-profit association of over 60 environmental businesses, brownfield-savvy community groups, environmental consultants, attorneys and others that have agreed to provide up to 50 hours of pro-bono technical assistance to non-profit brownfield developers that will receive EPA RLF funding.
- **Pre-development costs:** NYC will assist CBOs that plan to use EPA RLF funding by providing small grants of up to \$10,000 to cover costs for such things as title searches, market analysis, site surveys, etc. to kick-start brownfield projects.
- **Investigation:** In the past several years, NYC has used EPA assessment grants to investigate brownfield sites in disadvantaged neighborhoods. These EPA grants have been further leveraged by locally funded grants during the brownfield assessment phase. This complementary leverage is aimed to entice private sector investment in the disadvantaged areas being targeted by the EPA RLF grant funds.
- **Remediation:** NYC has dedicated funding to leverage EPA RLF cleanup funds by providing modest grants to reimburse a portion of the costs for cleanup. Pending funding allocations, local grant awards will leverage up to \$100,000 per site that receives EPA RLF loans or grants for all steps including technical assistance, predevelopment costs and remediation. This local funding will compliment and leverage EPA RLF loans and will ensure that these brownfield developments, once begun, are carried through to completion. In addition, in collaboration with NY State, RLF sites will be enrolled in NYC's VCP and will receive the certification necessary to allow them to take advantage of the Federal 198(a) Tax Incentive for remediation, anticipated to be renewed and available during the grant project period.
- **Redevelopment:** The bulk of funding for the actual construction / redevelopment will come from the developers themselves. Approximately \$2.63 billion of private investment has been contributed to projects in the City VCP to date. In addition, city tax abatement programs will also be used by RLF funded projects. These include property tax reductions for multi-family affordable housing, green roofs and solar panels; triple tax-exempt bond financing and/or tax benefits through the NYC Industrial Development Agency for capital assets; and multiple financial and zoning incentives for developers locating or renovating a grocery store in certain designated "food-desert" areas. Also, cleanup costs for RLF funded brownfield sites is one criterion that the NYC Board of Standards and Appeals takes into account when deciding whether or not to grant a hardship variance. This variance can make the redevelopment of brownfield projects more affordable.

c. Programmatic Capability and Past Performance

i) **Programmatic Capability:** The Mayor's Office of Environmental Remediation (OER), with its staff of 15 scientists, engineers and analysts, was created in 2008 with the sole focus of implementing NYC's brownfield revitalization efforts. Dr. Daniel Walsh is a contaminant geochemist who serves as the OER Director. Prior to this, he was the Chief of the New York City Superfund and Brownfield Program for the New York State Department of Environmental

Conservation. In OER's four and a half years, we have developed and implemented the nation's first municipal brownfield voluntary cleanup program, two municipal brownfield grant programs, and a public database of vacant properties in addition to other important initiatives. Dan is assisted in the implementation of the EPA grants by Lee Ilan, Chief of Planning at OER. She has 14 years of experience working on brownfield projects including EPA brownfield grants and has been involved with area-wide brownfield planning since 2003. OER's four program managers have over 80 years of collective cleanup regulatory experience in New York City. The staff possesses the in-house capacity to oversee the remediation efforts which would be funded by this grant which not only includes the contractual management of the fund manager, but also includes oversight of the technical work performed in the local VCP.

Recently OER has contracted with an experienced environmental management and municipal economic development firm to provide assistance with the implementation of our existing EPA grants to include serving as the Fund Manager for our existing RLF grant. This firm assists with such programmatic activities to include EPA quarterly reporting, preparation of site eligibility requests, financial reporting, and performs the loan underwriting functions. In addition, the number of staff cross-trained in OER on brownfield program management ensures that any turnover will not negatively impact the program.

ii) Adverse Audits: The City of New York has not had any adverse audit findings for any of its brownfield grants. Previously the NYC Office of Environmental Coordination was responsible for the management of the EPA grants. Responsibility for managing the brownfields program was transitioned to OER. OER has provided a new framework to manage contractors and enable services for projects in disadvantaged communities. Our awarding contracts for an on-call pool of environmental consultants and for grant/fund management has positioned the City to close out our existing EPA grants by September 2013. Several sites are currently awaiting EPA eligibility approvals, and work has commenced on all twenty sites that EPA has approved since OER took over brownfield grant management.

iii) Past Performance: The City of New York has previously received EPA Brownfields Grants.

1. The following provides information on our five most recent grants:

Grant	Funds Remaining	Compliance with Requirements	Accomplishments
2012 Revolving Loan Fund	\$650,000; the entire amount has been earmarked.	All grant requirements to date, consisting of the cooperative agreement package, have been met.	While these funds just became available in October 2012, we are substantially ahead of schedule, having procured the Fund Manager and developed loan document templates within the first two months of the grant. The majority of RLF funding has been earmarked for Sandy impacted Staten Island's Mariners Marsh parkland and it is expected to be expended within the beginning of 2013.
2007 haz. substance assessment (BF-97249607)	\$107,370.50 remaining \$150,000 has been expended and/or encumbered	All grant requirements, terms, and conditions have been complied with; annual, quarterly, and ACRES reporting is up to date	Supplemental Phase II assessment and remedial action plan on Mariners Marsh was completed. A portion of this 107 acre site will become usable parkland.
2007 petro assessment (BF-97249707)	\$167,778.97 remaining \$155,000 has been expended and/or encumbered	All grant requirements, terms, and conditions have been complied with; annual, quarterly, and ACRES reporting is up to date	OER conducted a year-long capacity building project. This consisted of research and a series of workshops to help city agencies and CBOs work together to better implement community brownfield planning efforts. A "NYC Community Guide to Brownfield Planning" is in

			development as a result of this initiative.
2006 haz. substance assessment (BF-97257906)	\$79,429.54 remaining; \$200,000 has been expended and/or encumbered	All grant requirements, terms, and conditions have been complied with; annual, quarterly, and ACRES reporting is up to date	13 Phase Is and two Phase IIs have been conducted; with another Phase II work plan pending EPA review. These include the Nelson Foundry project (to be redeveloped as residential); Sugar Hill (a future museum, community facility and affordable housing site); and 282 Moffat and Van Name Van Pelt (both potential future parks)
2006 petro. assessment (BF-97257806)	\$174,059.26 remaining, \$165,000 has been expended and/or encumbered	All grant requirements, terms, and conditions have been complied with; annual, quarterly, and ACRES reporting is up to date	Four Phase Is and one Phase II work plan have been completed, and one Remedial Action Plan is underway. In addition, a portion of this grant is funding an information technology intern. One additional Phase II investigation of 29-75 Avenue U, is awaiting EPA approval.

2. The City has received prior EPA Brownfields Grants, thus this section is not applicable.

3. Community Engagement and Partnerships:

a. Plan for involving the affected community: Community planning efforts are already well underway in disadvantaged neighborhoods throughout the city, primarily through the City's robust support for CBOs working through the state's Brownfield Opportunity Areas (BOA) program, which provides planning grants to communities addressing clusters of brownfields. These groups have a rich history of advocating on behalf of their neighborhoods and have the trust and attention of the people they represent. Rather than our involving the affected community in cleanup decisions or reuse planning, the affected communities will be involving us. All land use planning and environmental decision making will be driven by the communities, and they will involve us as needed to advance their redevelopment and revitalization goals. Working with BOA groups allows us to leverage substantial investments and efforts already underway and to capitalize on existing partnerships and relationships. We have strong relationships with the CBOs and work regularly with them to advance their brownfield redevelopment efforts. We will reach out to these groups through direct communications, webinars, conferences, postings on our website, and attendance at neighborhood meetings to invite them to submit RLF funding applications.

These CBOs are best situated to deliver information to and solicit feedback from their diverse neighborhoods. Offering evening meetings with transportation assistance, childcare, and/or refreshments are examples of how CBOs tailor their meetings to what works best in their communities. NYC has a large non-English speaking population, and these CBOs are able to meet these needs through multilingual notices, translators at meetings, or partnerships with the City's Language Bank volunteers. The City has resources to assist with this including a 2008 Mayoral Executive Order requiring agencies to provide language assistance in the top seven languages spoken by New Yorkers (including English, Spanish, Chinese, Russian, Korean, Italian, and Haitian Creole), which is increasing the City's capacity to communicate to all of its citizens. Finally, the Mayor's Office for People with Disabilities can provide us with assistance for communicating with deaf or blind persons if needed.

At the annual Big Apple Brownfield Conference and large community brownfield workshops, OER educates community members on our programs and resources. Our last conference attracted over 250 participants. Other ongoing outreach efforts include a webinars; periodic newsletters to our email list of over 3,000 people; a vibrant and regularly updated website; SPEED, an interactive online property database; and online document repositories. In addition, through a Rockefeller Brothers Fund grant, we produced four short brownfield videos, available on our website, to educate and inform the public on brownfield investigations, the importance of community involvement, and brownfields planning and environmental justice issues.

b. Efforts and/or plans to develop partnerships:

i) OER enjoys a strong and collaborative relationship with the New York State Departments of Environmental Conservation and of Health. Our municipal VCP employs State cleanup standards, and we work with both agencies to ensure that public health issues are addressed and that remedies are protective at the City's brownfields.

We work jointly with the NYC Department of Health and Mental Hygiene (DOHMH) to ensure that public health is protected at each site that is enrolled in the local VCP. OER consults with DOHMH staff on every remedial action workplan that goes through OER's VCP to ensure that cleanups overseen by OER are protective of human health and the environment.

ii) OER worked closely with EPA since the development of the NYC brownfield voluntary cleanup program, and this cooperative relationship is demonstrated by an August 17, 2011 letter from EPA recognizing our VCP. We also worked with the EPA Office of Superfund Remediation and Technology Innovation to jointly publish "*Streamlining Site Cleanup in New York City*" in August 2010 focusing on moving projects effectively through our local VCP. OER will work with EPA Region 2 personnel to gain regulatory oversight as required for implementation of the grants. OER also works in close coordination with the NYS Department of State through the Brownfield Opportunity Area (BOA) program on several initiatives that support community brownfield planning.

iii) OER has a strong commitment to encouraging hiring of local job training graduates. To facilitate this, NYC's Brownfield WORKS! program was established by OER in 2008 and provides a wage subsidy when funding is available to firms which employ graduates of EPA job training grant programs. This program worked closely with recipients of EPA brownfield job training grants to place 26 trainees in professional environmental positions in the NYC area in 2010, resulting in 14 full time jobs. Participating employers received up to six months of subsidy at \$12/hour and a percentage of fringe benefits for each worker.

b. Description and role of key Community-Based Organizations (CBOs): OER has developed strong partnerships with CBOs to support us in grant implementation. Support letters are contained in Attachment D. A sampling of our partners include:

CBO Name	Description of CBO	Role in Implementing Grant
South Bronx Overall Economic Development Corp	CBO whose mission is to provide and/or facilitate job training, affordable housing, community and economic development, brownfields planning and redevelopment	Conducts community based brownfield reuse planning and outreach in several South Bronx BOAs; will assist with the identification of prospective RLF sites and will assist with outreach.
Bronx Council for Environmental Quality	CBO facilitating improved environment for residents. Active in community based brownfield reuse planning and outreach in Bronx BOA.	Has identified sites for potential EPA RLF use, and assist with identification of end users/tenants for redeveloped projects.
NYC Brownfield Partnership	Association of NYC Brownfield stakeholders working to promote education and training on the benefits of brownfield reuse.	Will provide 50 hours of pro bono technical assistance annually to non-profit developers of brownfields in NYC, including recipients of EPA RLF sub-grants; provides scholarships and

		internships to future brownfield leaders.
Harlem Congregations for Community Improvement, Inc.	HCCI is a coalition of more than 90 inter-faith congregations who promote economic development in Harlem.	Community based brownfield reuse planning and outreach in Harlem BOA. Has identified several priority sites for potential use of EPA RLF funds and will assist with outreach.
Cypress Hills Local Development Corporation	CBO provides comprehensive community service programs and neighborhood development projects	Community based brownfield reuse planning in Brooklyn BOA. Has identified priority sites that are candidates for EPA funding and will assist with outreach. Recipients of the Partnership for Sustainable Communities grant, and will target sites from that project for EPA funding, where synergies between the two programs make sense.
Staten Island Economic Development Corporation	CBO whose mission is to promote and/or facilitate commercial and industrial development, brownfields planning and redevelopment	Community based brownfield reuse planning and outreach in Staten Island BOA. Has identified several priority sites for RLF use; is potential RLF loan or sub-grantee recipient. Will also market RLF for developers working in their area.

4. Project Benefits:

a. **Welfare and/or Public Health:** By remediating and redeveloping brownfield sites in disadvantaged neighborhoods, potential exposures to contaminants will be eliminated including those known to be carcinogens and those known to be contributors to asthma, including PAHs, chlorinated solvents and metals. Removal of exposures to these contaminants will have a profoundly positive impact on the health of the community. Blood lead levels are expected to decrease, as possible sources for lead poisoning will be eliminated by remediating lead-contaminated soils as well as facilitating the redevelopment of new and improved housing stock free of lead based paint. Such measures will also lend themselves to lowering asthma rates in the targeted communities, as remediation mitigates possible environmental triggers for asthma such as contaminated dust from brownfield sites. This could improve educational attainment levels, as environmental exposures linked to lower IQs and developmental delays would be eliminated, thus potentially improving residents' chances of obtaining higher wage jobs.

To ensure that no adverse environmental impact occurs during RLF cleanup activities, each funded project will require development of a Health and Safety plan. Contents of the plan are expected to contain contaminate specific requirements for protecting the health of on-site workers as well as nearby residents during remediation activities.

End uses for sites addressed through this grant include affordable housing, community facilities (i.e. green space, senior centers, schools, places of worship, medical offices, improved access to fresh produce, etc.), projects consistent with the local community's planning vision, and other developments that create jobs located in economically distressed neighborhoods. As such, they are designed to improve the lives of the people who live there and will not displace or further disadvantage existing residents.

b. **Economic Benefits and/or Greenspace**

i) **Economic Benefits:** New York City has over 3,150 vacant commercial and industrial sites and another 5,300 potential sites where zoning changes allow for formerly commercially or

industrially zoned property to be redeveloped as residential. The majority of these sites are located in distressed areas that will be targeted for use of these grant funds. Such sites currently contribute little to nothing to the city tax rolls and represent lost opportunities for needed jobs, services, open spaces, and housing. Redevelopment of these sites will result in profound economic benefits with regard to property tax, sales tax, and income tax. For example, the 89 projects enrolled in the city's brownfields program were vacant for an average of 19 years and in total only supported 36 permanent jobs. New development enabled by the cleanup of these sites is expected to generate over 2,600 permanent new jobs (an average of 54 new jobs for each new development), 6,300 construction jobs and over 2,090 units of new housing (including 1,026 affordable units). Financial modeling of these 89 projects shows that over the next 30 years, these projects will collectively contribute an additional \$471M in sales, income, and property taxes to the City above current tax revenue projections, and \$398M above current tax revenue projections to the State, and garner \$2.63 billion in direct capital construction investment. Increased tax revenues will also mean that there will be more funds available to provide other needed community services and support in these poor areas, such as education, police, and improved municipal infrastructure. This type of development provides significant economic benefits to the community, and it is expected to be replicated over and over again by the 16 sites anticipated to be cleaned up with this EPA grant.

ii) Non-Economic Benefits: Projects funded with EPA grant funds will be community development projects, meaning that they will include affordable housing or community facilities, such as the new church being constructed at 125th Street in Harlem, or the new community medical offices on Church Street in Brooklyn. Both developments are currently enrolled in the City's brownfields program, are located within one of the distressed target areas for this grant, and are consistent with the local community's planning vision. Another example is the Sugar Hill redevelopment project in upper Manhattan. This former parking garage is becoming a \$75 million mixed-use development. When finished, the community will gain 124 affordable apartments—70% targeted to very low-income households, with 20% dedicated to homeless families and individuals—and the Sugar Hill Children's Museum of Art & Storytelling.

c. Environmental Benefits from Infrastructure Reuse/Sustainable Reuse: All of NYC is already highly developed, which provides a framework of gas, sewer, water, and electric utilities, and sites are all connected to NYC's comprehensive transportation network of subways and buses. U.S. Green Building tenets have recently been codified in NYC's Building Code that include:

- City-funded construction projects with an estimated cost of more than \$2 million or greater must meet LEED Silver Certification standards
 - Renovations of existing buildings must meet minimum energy conservation standards
 - Building owners must perform energy and water use benchmarking and upgrade lighting
- Further, remediation projects can take advantage of the newly-established NYC Clean Soil Bank that matches developments with an excess of clean native soil to projects that need clean soil for capping. This greatly reduces truck transport mileage and associated vehicular emissions and eliminates the transfer of soil through registration facilities often located in environmental justice communities, thus reducing the emission burdens in these neighborhoods.

City of New York
EPA RLF Grant Proposal

Attachment A:
Threshold Documentation

THRESHOLD CRITERIA

1. Applicant Eligibility: The City of New York City is a general purpose unit of local government as defined under 40 CFR Part 31

2. Description of Jurisdiction: The jurisdiction of OER covers all of the City of New York.

3. Letter from the State or Tribal Authority: A letter of support for this application was received from the New York State Department of Environmental Conservation (Attachment B).

4. Oversight Structure and Legal Authority to Manage a Revolving Loan Fund:

a. Cleanup Oversight: In administering the EPA RLF, the City of New York through the Mayor's Office of Environmental Remediation (OER) will comply with all applicable federal and state laws and will ensure that any RLF funded cleanup protects human health and the environment. OER has its own Brownfield Voluntary Cleanup Program to oversee light to moderately contaminated sites. However, OER will work in consultation with EPA regional personnel for oversight review and approval. As such, sub-grant and loan recipients will be required to prepare remedial action work plans and conduct cleanups under the purview of the federal regulatory agency.

b. Legal Opinion: See Attachment C for a legal opinion indicating the ability of the City of New York to access and secure sites in the event of an emergency or default of a loan/sub-grant agreement, and the legal authority to perform the actions necessary to manage the EPA RLF.

5. Cost Share:

a. The 20% cost share for the EPA RLF program shall be met with a cash contribution of \$200,000 from the OER.

b. A hardship waiver for the cost share is not being requested.

City of New York
EPA RLF Grant Proposal

Attachment B:
Letter from New York State Department of Environmental Conservation

New York State Department of Environmental Conservation
Division of Environmental Remediation
Bureau of Program Management, 12th Floor
625 Broadway, Albany, New York 12233-7012
Phone: (518) 402-9764 • **Fax:** (518) 402-9722
Website: www.dec.ny.gov



NOV 23 2012

Dr. Daniel Walsh, Director
Mayor's Office of Environmental Remediation
City of New York City
354 Broadway, 14th Floor
New York, NY 10007

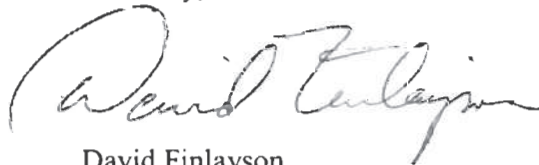
Dear Dr. Walsh:

This is to acknowledge that the New York State Department of Environmental Conservation (Department) received your request dated November 21, 2012 for a state acknowledgement letter for a United States Environmental Protection Agency (USEPA) brownfield grant application.

I understand that the City plans to apply for a brownfield Revolving Loan fund grant in the amount of \$1,000,000. If awarded, the City plans to award loans throughout the city with a focus on brownfield sites slated to become preferred community development projects.

The Department encourages initiatives to redevelop brownfields with the goal of mitigating any environmental and health impacts that they might pose.

Sincerely,



David Finlayson
Acting Director
Bureau of Program Management

ec: R. Torres, USEPA

City of New York
EPA RLF Grant Proposal

Attachment C:
Letter from Counsel Containing Legal Opinion



**THE CITY OF NEW YORK
LAW DEPARTMENT**

100 CHURCH STREET
NEW YORK, N.Y. 10007-2601

MICHAEL A. CARDOZO
Corporation Counsel

November 22, 2011

Ms. Lya Theodoratos
Regional Brownfields Coordinator
EPA Region 2
U.S. Environmental Protection Agency
290 Broadway, 18th Floor
New York, NY 10007

Re: Application of the City of New York for an EPA Brownfields Revolving
Loan Fund Grant

Dear Ms. Theodoratos:

In connection with the submission of a proposal by the City of New York for a Brownfields Revolving Loan Fund ("RLF") grant, reference is made to the EPA's FY12 Guidelines for such grants (RFP No. EPA-OSWER-OBLR-11-06). The RFP specifically requires a legal opinion demonstrating, with citations, that the City has the legal authority (1) "to access and secure sites in the event of an emergency or default of a loan agreement or non-performance under a subgrant"; and (2) "to perform the actions necessary to manage a revolving loan fund. At a minimum, legal authority must include the ability to hold funds, make loans, enter into loan agreements, and collect repayments."

This opinion letter is delivered to you as a component of the City's proposal in response to the above-referenced RFP. For purposes of this opinion letter, we have reviewed the RFP. In addition, we have examined such portions of the statutes of the State of New York (the "State") and the Charter of The City of New York (the "City"), and such other applicable laws and court decisions and such documents and other materials as we have deemed necessary or relevant for the purposes of the opinions set forth below. We have cited certain laws below because the FY12 Guidelines require cites to "relevant state law(s) or local ordinance(s)." However, our opinion below is based on all of the materials we have examined and not merely the cited laws.

Based upon such examination, I advise you that in our opinion under existing law:

1. The City has the authority to access and secure sites in the event of an emergency. See NYS Executive Law §24 (local states of emergency and local emergency orders); NYS General City Law §§20(12) (power to protect inhabitants and property from loss or damage), (13) (power to protect property and preserve and care for safety, health, comfort, and general welfare), and (23) (power to exercise all powers necessary and proper for carrying into execution the powers granted to the City); NYC Charter §1403(h) (DEP commissioner has power to respond to emergencies caused by releases or threatened releases of hazardous substances); NYC Charter §435(a) (NYPD has authority to “guard the public health”).

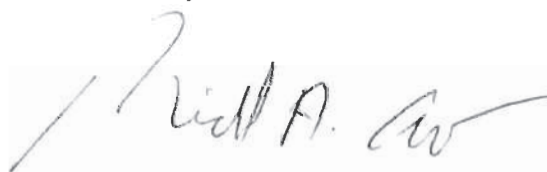
2. The City is validly existing as a municipal corporation under the laws of the State with full power and authority to enter into, enforce, and perform its obligations under contracts. See NYS General City Law §20(1) (power to “contract and be contracted with”).

3. As such, the City has the authority to provide, by contract, for the remedy of accessing and securing sites in the event of a default of a loan agreement or nonperformance under a subgrant. When executed and delivered by the City and, assuming due authorization, execution and delivery by, and validity against the loan recipient or subgrantee, such loan agreement or subgrant will be a legal, valid and binding agreement, enforceable by the City in accordance with its terms, except to the extent that the enforceability thereof is subject to the overriding State interest in promoting the health, safety and welfare of the people of the State, and may be limited by bankruptcy, insolvency, reorganization, moratorium or other similar laws now or hereafter in effect relating to creditors’ rights generally, and to general principles of equity (regardless of whether the enforcement of such remedies is considered in a proceeding in law or at equity).

4. The City has the power to apply for, accept, and expend funds made available pursuant to the subject RFP, and the power to take all actions necessary to effectuate the purpose of the program in question. See NYS General Municipal Law §99-h. The City thus has the power to hold funds, make loans, enter into loan agreements, and collect repayments pursuant to this program.

We have rendered this opinion solely for your use in connection with the City’s proposal for the Brownfields RLF grant. This opinion is not to be employed, relied upon, referred to or quoted by any other person or for any other purpose.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael A. Cardozo", written over a light blue horizontal line.

Michael A. Cardozo

City of New York
EPA RLF Grant Proposal

Attachment D:
Community Based Organizations Letters of Support

November 26, 2012

Administrator Lisa Jackson
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Jackson:

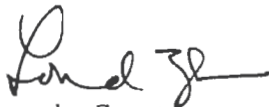
SoBRO was founded in 1972 by a group of business executives and community leaders. We address all aspects of community development: assisting businesses to get started and grow, training residents, offering opportunities youth programs, and creating affordable housing and commercial space to reverse blight in the community.

Through these efforts, we have become painfully aware of the negative impacts brownfields bring to our neighborhood. We have been a grantee of the state's Brownfield Opportunity Areas (BOA) program since 2004, and have successfully completed Steps 1 and 2 of the 3-step BOA program. Thanks to this process of community engagement and planning, we have since focused our efforts on three BOA-designated areas, including an area known as the Port Morris Harlem Riverfront BOA, which has received roughly \$482,000 in state BOA funds. The BOA program has afforded us the ability to identify fifteen strategic brownfields that must be investigated in the Harlem River BOA.

The cleanup of brownfields in the South Bronx is of course a required step in the on-going revitalization of our neighborhood. If awarded this funding from the EPA, I understand that the grant will provide loans to fund cleanup activities on preferred community development sites such as affordable housing and sites supported by community development plans. Fortunately, BOA strategic sites are considered preferred community development sites by the city. Should these grants be awarded, SoBRO will give city officials information regarding BOA strategic sites to be potentially cleaned up using this EPA funding. We will also provide outreach support in any way we can. We have worked hand-in-hand with the city for many years and will continue to do so.

We will gladly serve as a marketing outlet to ensure the South Bronx benefits from EPA's investment in NYC. We greatly hope these grants come to fruition.

Sincerely,



Lourdes Zapata
Executive Director



The Bronx Council for Environmental Quality
Post Office Box 265
The Bronx, New York 10464-0265
www.bceq.org

November 27, 2012

Administrator Lisa Jackson
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: New York City EPA RLF Grant Application

Dear Administrator Jackson:

The Bronx Council for Environmental Quality, (BCEQ) is a non-profit membership organization located in New York City's only mainland borough—The Bronx. We are a diverse collection of individuals all seeking to leave our great-grandchildren better air, land, and water quality than we have at present.

The New York State Brownfield Areas Opportunity (BOA) Program is the redevelopment planning arm of the Superfund/Brownfield Law. We've received a New York BOA award in the amount of \$109,877 for a Step 1: Pre-Nomination Study and an award in the amount of \$355,230 for a Step 2: Nomination Study. The BOA along the Harlem River came out of BCEQ's previous Harlem River conferences and was developed in partnership with broad community participation. The Harlem River and its neighboring communities are poised for a long-overdue revival.

BCEQ supports the grant application for this EPA revolving loan fund cleanup grant. Should this program come to fruition, we have already identified sites that could be remediated using the EPA funding. These sites have resulted from the BOA planning process and have been chosen as priorities by the community. We will also seek to find tenants for the redeveloped sites as appropriate.

As you may know, in 2011 the Urban Waters Federal Partnership (UWFP) announced efforts on seven pilot locations, one of which is the Bronx & Harlem River Watersheds (New York). Our area was chosen because both "locations had a strong restoration effort underway, spearheaded by local governments and community organizations."

Thank you.

Sincerely,

Dart Westphal & Karen Argenti

Dart Westphal & Karen Argenti
Co-Chairs, BCEQ Water Committee



November 27, 2012

Dr. Daniel Walsh
Director of the Mayor's Office of Environmental Remediation
City of New York City
100 Gold Street, 2nd Floor
New York, New York 10038

Re: USEPA Brownfields Revolving Loan Fund Grant Application

Dear Dr. Walsh:

The NYC Brownfield Partnership is pleased to provide this letter in support of your USEPA Brownfields Revolving Loan Fund Grant application.

As you are aware, the NYC Brownfields Partnership is an association comprised of over 40 community-based organizations, environmental businesses, brownfield industry professionals, consulting firms, and local community development corporations and community groups. Our mission is to serve the community by:

- Serving as a primary resource for information on brownfields and brownfields redevelopment in New York City.
- Advancing public awareness and understanding of benefits, opportunities, and best practices of brownfield redevelopment.
- Promoting excellence in brownfield redevelopment by honoring successful brownfield projects.
- Supporting the education and training of brownfield professionals, workers, and students.
- Fostering collaborative relationships among brownfield developers, property owners, government agencies, and community groups.

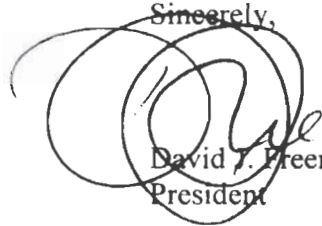
We applaud and wish to support the City's efforts to fund investigation of brownfield sites slated to become preferred community development projects. To this end, the Partnership would like to make available to participants in such projects its pro-bono environmental referral service that seeks to provide developers, land owners, local development corporations, and community-based organizations with advice on how to manage properties that require investigations and cleanups. The Partnership has budgeted a minimum of 50 hours of senior environmental attorney and/or senior technical consultant time, valued at a minimum of \$15,000, being provided annually on a pro bono basis in connection with this referral service.

Dr. Daniel Walsh
City of New York City
November 27, 2012
Page 2 of 2

The Partnership also supports development of future brownfield leaders through our internships and scholarship program. Over the past three years, over \$30,000 in scholarship funding has been awarded. In the upcoming year, we anticipate awarding a total of \$10,000 to another five recipients of our Abbey Duncan Brownfield Scholarship.

We thank you for the opportunity to partner with you on this new initiative to support these brownfield projects.

Sincerely,

A handwritten signature in black ink, appearing to read "David J. Freeman", is written over a circular stamp or seal. The signature is fluid and cursive.

David J. Freeman, Esq.

President



**EMPOWERING HARLEMITES
REBUILDING COMMUNITIES**

*established
1986*

OFFICERS

Rev. Charles A. Curtis, Ed.D.
Chairman of the Board

Rev. Thomas D. Johnson, Sr.
2nd Vice Chair

Mr. George H. Weldon, Jr.
3rd Vice Chair

Joan O. Dawson, Ph.D.
Secretary

Lucille L. McEwen, Esq.
President

BOARD OF DIRECTORS

Rev. Dedrick L. Blue
Ms. Darlyne L. Bratton
Rev. Robert B. Coleman
Rev. Jeffrey M. Crenshaw
Rev. Shepherd Lee
Muriel Petioni, M.D.
Imam Talib' Abdur Rashid
Rev. Patricia A. Reeberg
Rev. Keith William Roberson, I
Rev. John L. Scott, A.B., M.Div.
Rev. Dr. Jesse T. Williams, Jr.

FRIENDS OF HCCI

Mr. Emerson Atkins
Frank C. Babb, M.D.
Rev. Dr. J. Albert Bush
Rev. Dr. Edward E. Johnson
Rev. James A. Kilgore
Rev. Dr. Johnnie G. McCann, Sr.
Imam Izak-El Mu'eed Pasha

TRUSTEE EMERITUS

Rev. Dr. John E. Carrington
Bishop Norman Quick
Rev. Dr. Wyatt Tee Walker

HARLEM CONGREGATIONS FOR COMMUNITY IMPROVEMENT, INC.

2854 Frederick Douglass Blvd, New York, NY 10039 • (212) 281-4887 Tel • (212) 281-8102 Fax • www.hcci.org

November 21, 2012

U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear colleague:

I am writing this letter on behalf of the Harlem Congregations for Community Improvement, Inc. (HCCI). Founded in 1986, HCCI is a coalition of more than 90 inter-faith congregations who provide economic development and empowerment opportunities to help Harlem residents rebuild and sustain their community. Economic development in Harlem means tackling brownfields. We have been involved with the state's Brownfield Opportunity Areas Program with a focus on the Bradhurst section of Harlem. Fortunately, the match for our participation in the BOA planning program was funded by the city's Brownfield Incentive Grant program. Now that we are winding down with the planning piece, we are in need of funding for the clean-up of our high priority strategic sites.

This letter is in support of U.S. Environmental Protection Agency funding that would fund clean-ups throughout the city. Given the current economic situation, this funding would allow for organizations like HCCI to move their strategic sites into the clean-up phase. We will support implementation of this funding in any way we can and will work to ensure that our sites are cleaned-up using this grant funding. Aside from being a network of 90 congregations, our real estate office has developed more than 2,000 units of low-, moderate-, and middle-income housing and nearly 40 commercial spaces. As you can imagine, that means access to quite a few people in Harlem. Our outreach methods that could advertise the usage of these grants range from extensive email lists to bulletin boards. We also show our support of the city's brownfields program by attending their events, such as this month's Big Apple Brownfield Conference. It has been a pleasure working with the city on brownfields redevelopment, and we look forward to continuing that partnership through this grant funding.

Thank you for your consideration, and may you have a blessed day.

Sincerely,

Mr. Derek E. Broomes
President & CEO

Office of Health & Wellness
Strategies
(212) 283-5266 PH
(212) 283-7243 FAX

Office of Real Estate
Development
(212) 283-1377 PH
(212) 283-2194 FAX

Family Life &
Conference Center
(212) 491-3316 PH
(212) 491-3539 FAX

Bradhurst Village
Career Center
(212) 491-5280 PH
(212) 491-5058 FAX



November 14, 2012

Lisa P. Jackson, Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue NW
Washington, DC 20460-0001

Dear Ms. Jackson:

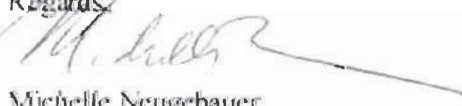
This letter is in support of New York City's application for US Environmental Protection Agency grants for a revolving loan fund award.

My organization, the Cypress Hills Local Development Corporation (CHLDC), is a not-for-profit community organization in Brooklyn that was established in 1983. We serve approximately 8,000 residents a year through a comprehensive array of community service programs and neighborhood development projects. With the assistance of a \$412,743 Brownfield Opportunity Area (BOA) grant awarded by the State of New York for the East New York BOA's Nomination Study, we're working on preservation, stabilization and expansion of affordable housing, the creation of viable economic development opportunities, including green manufacturing and job training, safe and sustainable transportation routes and improved access to open space. These parcels are typically brownfields that need to be investigated and cleaned up.

We have a great need for funding these activities and support the city's efforts to obtain any additional public funding that would serve these purposes. If awarded we will send city officials our list of high priority sites identified thru the state brownfield planning process known as the BOA. Brownfield programs seem to work well together as the city provided a grant for our BOA local match. We look forward to learning about and publicizing the uses of these grants particularly for projects in Brooklyn.

I appreciate your consideration of my support for this grant.

Regards,



Michelle Neugebauer
Executive Director



Board of Directors

Stanley M. Friedman
Sr. Executive Vice-Chairman

Robert Moore
Executive Vice-Chairman

James P. Molinaro
Borough President
Vice-Chairman

Dr. Ronald Sheppard
Treasurer

Lynn Ross
JP Morgan Chase
Secretary

Edward J. Birdin
New York Power Authority
Membership Manager

John Alexander
Northfield Bank
Executive Committee Member

Ralph Branca
Victory State Bank
Executive Committee Member

Aubrey Braz
Consolidated Edison
Executive Committee Member

Anthony Ferrer
Staten Island University Hospital
Executive Committee Member

Michael F. Marzulli
Richmond County Savings Bank
Chairman Emeritus

Joseph Carral
Citibank

Pamela Columbo
Statewide Fire Corp.

Joseph Dougan
TD Bank

Seth Edwards
JP Morgan Chase

Kevin Ferryman
Capital One Bank

Eugene Garavito, PhD
College of Staten Island

Felix Gilroy, Esq.

Dr. Richard Guarnieri
Wagner College

Richard Ippolito
R. Ippolito Distributing

Sandy Krueger
Staten Island Board of Realtors

Hank Levin
Pratt Industries

Caroline Manna
Hyman, D'Amico & Flom, LLC

Raymond Mason, Jr.
Raymond Homes, Inc.

Bob McKee
The Port Authority of NY & NJ

Michael Mercurio
Mercurio, VFA & Associates

Kenneth Mitchell

Paula Montano
Wells Fargo Bank, N.A.

Nancy Pouch
College of Staten Island

Victor E. Vientos
National Grid

Richard Sabatini
Staten Island Terminal, L.P.

Josephine Savastano
Sovereign Bank, a Santander

Frank Seidler
New York Container Terminal, Inc.

Michael Stevens
Bank of America

Maria Tranchesi
The Sunbelt Group, Inc.

Cesar J. Claro
President & CEO, SIEDC

November 14, 2012

Dr. Daniel Walsh
Director of the Mayor's Office of Environmental Remediation
City of New York City
253 Broadway, 14th Floor
New York, New York 10007

Dear Dr. Walsh:

Since 1993, the Staten Island Economic Development Corporation (SIEDC) has sought to enhance a thriving Staten Island economy by promoting public and private investment, and encouraging the development of commercial and industrial property and projects in an environmentally friendly manner. Between both large- and smaller-scale development projects, SIEDC has been responsible for introducing over \$550 million in new investment and 3,500 jobs into the Staten Island economy. We are very proud of these accomplishments.

This is particularly critical now, as Staten Island was devastated by the recent SuperStorm. As we struggle to rebuild our communities, the importance of funding to ensure the safety of human health and the environment cannot be overstated.

I am pleased to provide this letter of support for your US EPA Brownfields Revolving Loan Fund application. This grant is particularly exciting for groups like ours who are overseeing BOA strategic sites, which as you know are considered preferred community development projects. Community-based organizations throughout the city applaud your effort to prioritize preferred community development projects. The grants will be especially valuable because they will support projects in low income neighborhoods where financing is difficult to acquire.

SIEDC will support implementation of the grant. As you know, we already have a list of potential sites to remediate via our involvement in the state BOA Program. We appreciate the City's grant for our local match required by the BOA. If awarded, we will update the Staten Island community about your efforts, such as through our newsletter. We provide a wide range of brownfields services and routinely interact with environmental consultants, the business community, developers, and other interested parties who could spread the word about availability of the proposed Community Brownfield Grant Program. Further, we will gladly support any efforts specific to Staten Island, such as community meetings or site histories.

I hope to learn that this application is successful and wish you the sincerest of luck in being awarded these funds.

Regards,

Cesar J. Claro
President & CEO

City of New York
EPA RLF Grant Proposal

Attachment E:
Documentation for Leveraged Funds

FACE PAGE

STATE AGENCY: NYS Department of State One Commerce Plaza 99 Washington Avenue - Suite 1010 Albany, NY 12231-0001	NYS COMPTROLLER'S #: C106012 ORIG. AGENCY CODE: 19000 TYPE OF PROGRAM: Brownfield Opportunities Areas Program
INITIAL CONTRACT PERIOD: FROM: 06/01/10 TO 05/31/13	STATE SHARE FUNDING AMOUNT FOR INITIAL PERIOD \$412,743 LOCAL SHARE FUNDING AMOUNT FOR INITIAL PERIOD \$45,860
CONTRACTOR: Cypress Hills Local Development Corporation 625 Jamaica Ave. Brooklyn, NY 11208 Federal Tax Identification Number: <div style="text-align: center; font-size: 1.2em;">11-2683663</div> Municipal Code #:	CONTRACTOR STATUS: Sectarian Entity Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not-for-Profit Organization. Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Charities Registration Number <u>03 - 33 - 82</u> / (E-1) - <u> </u> Estates, Powers and Trusts Laws Reporting (E-2) - <u> </u> If you did not claim an exemption to both of the items above, you must circle appropriate response in the following statement: Contractor has/has not timely filed with the Attorney General's Charities Bureau all required periodic or annual written reports.

APPENDICES ATTACHED TO AND PART OF THIS AGREEMENT

APPENDIX A: Standard clauses as required by the Attorney General for all state contracts

APPENDIX A1: Agency-specific clauses; including:

- Attachment 1: Final Project Summary Report
- Attachment 2: Minority and Women-owned Business Enterprises (MWBE) Program Quarterly Contractor Report
- Attachment 3: Project Status Form
- Attachment 4: Procurement Certification
- Attachment 5: Progress Report

APPENDIX B: Budget

APPENDIX C: Payment and Reporting Schedule

APPENDIX D: Program Work Plan

- Attachment A: Document Style Requirements
- Attachment B: Information Sources for Descriptive Profiles
- Attachment C: Descriptive Profile of Brownfield & Underutilized Properties

APPENDIX E: Charities Bureau Registration and Reporting Exemptions

APPENDIX F: Notices

APPENDIX G: Electronic Payments

APPENDIX X: Modification Agreement Form (to accompany modified appendices for changes in term or consideration on an existing period or for renewal periods)

STATE AGENCY:

New York State Department of State

Contract No. C106012

By:

Judith E. Kenny

Judith E. Kenny

(Print Name)

DOS Director of Administration
and Management

Title:

Date:

11 / 29 / 11

State Agency Certification

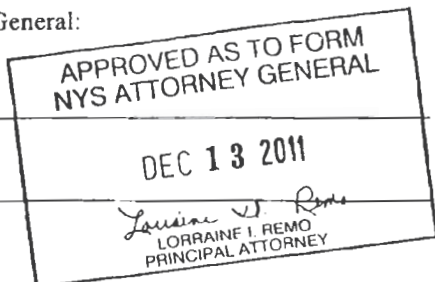
"In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract."

Approved:

Attorney General:

By:

Date:

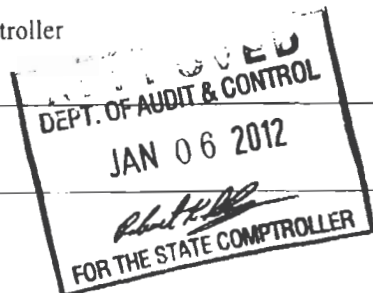


Approved:

State Comptroller

By:

Date:



IN WITNESS THEREOF, the parties hereto have executed or approved this AGREEMENT on the dates below their signatures.

CONTRACTOR

Contract No. C106012

Cypress Hills Local Development Corporation

By: Michelle Neugebauer
Michelle Neugebauer

(Print Name)

Title: Executive Director

Date: 9/8/11

ACKNOWLEDGMENT

State of New York)

County of Kings)ss:

On this 8th day of September, in the year 20 11, before me personally appeared Michelle Neugebauer, to me known, who being by me duly sworn, did depose and say that ~~he~~/she is the Executive Director of Cypress Hills Local Development Corp., the organization described in and which executed the above instrument; and that ~~he~~/she has the authority to sign on behalf of said organization; and that ~~he~~/she executed the foregoing agreement for and on behalf of said organization.

Michelle Denise Brown

NOTARY PUBLIC
MICHELLE DENISE BROWN
Notary Public, State of New York

No. 01BR6051065
Qualified in Queens County
Commission Expires November 13, 2014

FACE PAGE

STATE AGENCY: NYS Department of State One Commerce Plaza 99 Washington Avenue - Suite 1010 Albany, NY 12231-0001	NYS COMPTROLLER'S #: C303887 ORIG. AGENCY CODE: 19000 TYPE OF PROGRAM: Brownfield Opportunities Areas Program
INITIAL CONTRACT PERIOD: FROM: 03/07/08 TO 10/06/14	STATE SHARE FUNDING AMOUNT FOR INITIAL PERIOD \$275,137 LOCAL SHARE FUNDING AMOUNT FOR INITIAL PERIOD \$30,571
CONTRACTOR (Lead): Friends of Brooklyn Community Board 6, Inc. 250 Baltic Street Brooklyn, NY 11201 Federal Tax Identification Number: 04-3780020 Municipal Code #:	CONTRACTOR STATUS: Sectarian Entity Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not-for-Profit Organization Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Charities Registration Number <u>21-00-94(E1)-3A</u> Estates, Powers and Trusts Laws Reporting (E-2) - <u>02</u> If you did not claim an exemption to both of the items above, you must circle appropriate response in the following statement: Contractor has/has not timely filed with the Attorney General's Charities Bureau all required periodic or annual written reports (Contractor is exempt from registration with the Attorney General's Charity Bureau..)

APPENDICES ATTACHED TO AND PART OF THIS AGREEMENT

APPENDIX A: Standard clauses as required by the Attorney General for all state contracts

APPENDIX A1: Agency-specific clauses; including:

- Attachment 1: Final Project Summary Report
- Attachment 2: Minority and Women-owned Business Enterprises (MWBE) Program Quarterly Contractor Report
- Attachment 3: Project Status Form
- Attachment 4: Procurement Certification

APPENDIX B: Budget

APPENDIX C: Payment and Reporting Schedule

APPENDIX D: Program Work Plan

- Attachment A: Document Style Requirements
- Attachment B: Information Sources for Descriptive Profiles
- Attachment C: Descriptive Profile of Brownfield & Underutilized Properties

APPENDIX E: Charities Bureau Registration and Reporting Exemptions

APPENDIX F: Notices

APPENDIX G: Electronic Payments

APPENDIX X: Modification Agreement Form (to accompany modified appendices for changes in term or consideration on an existing period or for renewal periods)

IN WITNESS THEREOF, the parties hereto have executed or approved this AGREEMENT on the dates below their signatures.

CONTRACTOR

Contract No. C303887

Friends of Brooklyn Community Board 6, Inc.

By: Craig R. Hammerman
Craig R. Hammerman

(Print Name)

Title: Executive Director

Date: October 15, 2010

ACKNOWLEDGMENT

State of New York)

County of KINGS)ss:

On this 15th day of OCTOBER, in the year 2010, before me personally appeared CRAIG R. HAMMERMAN, to me known, who being by me duly sworn, did depose and say that he/she is the EXECUTIVE DIRECTOR of FRIENDS OF CB 6, the organization described in and which executed the above instrument; and that he/she has the authority to sign on behalf of said organization; and that he/she executed the foregoing agreement for and on behalf of said organization.

[Signature]
NOTARY PUBLIC

SASE N. NARAIN
NOTARY PUBLIC, State of New York
No. 01NA5085317
Qualified in Kings County
Commission Expires September 22, 2013

STATE AGENCY:

Contract No. C303887

New York State Department of State

By:

Judith E. Kenny

Judith E. Kenny

(Print Name)

DOS Director of Administration
and Management

Title:

Date:

2/17/11

State Agency Certification

"In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract."

Approved:

Attorney General:

By:

APPROVED AS TO FORM
NYS ATTORNEY GENERAL

Date:

MAR 10 2011

James M. Ryan
LEGISLATIVE COUNSEL
ASSOCIATE ATTORNEY

Approved:

Thomas P. DiNapoli

State Comptroller

By:

APPROVED
DEPT. OF AUDIT & CONTROL

Date:

MAR 26 2011

Robert J. Miller
FOR THE STATE COMPTROLLER

FACE PAGE

STATE AGENCY: NYS Department of State One Commerce Plaza 99 Washington Avenue - Suite 1010 Albany, NY 12231-0001	NYS COMPTROLLER'S #: C106020 ORIG. AGENCY CODE: 19000 TYPE OF PROGRAM: Brownfield Opportunities Areas Program
INITIAL CONTRACT PERIOD: FROM: 04/20/11 TO: 04/19/14	STATE SHARE FUNDING AMOUNT FOR INITIAL PERIOD \$1,241,312 LOCAL SHARE FUNDING AMOUNT FOR INITIAL PERIOD \$137,924
CONTRACTOR: Greater Jamaica Development Corporation 90-04 161st Street Jamaica, NY 11432 Federal Tax Identification Number: 23-7021273 Municipality Code #: VJDFD 1000055716	CONTRACTOR STATUS: Sectarian Entity Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not-for-Profit Organization Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Charities Registration Number: 02-05-75/(E-1) - Estates, Powers and Trusts Laws Reporting (E-2) - If you did not claim an exemption to both of the items above, you must circle appropriate response in the following statement: Contractor <u>has</u> has not timely filed with the Attorney General's Charities Bureau all required periodic or annual written reports.

APPENDICES ATTACHED TO AND PART OF THIS AGREEMENT

APPENDIX A: Standard clauses as required by the Attorney General for all state contracts
APPENDIX A1: Agency-specific clauses; including: Attachment 1: Final Project Summary Report Attachment 2: Minority and Women-owned Business Enterprises (MWBE) Program Quarterly Contractor Report Attachment 3: Project Status Form Attachment 4: Procurement Certification Attachment 5: Progress Report
APPENDIX B: Budget
APPENDIX C: Payment and Reporting Schedule
APPENDIX D: Program Work Plan; including: Attachment A: Document Style Requirements Attachment B: Information Sources for Descriptive Profiles Attachment C: Descriptive Profile of Brownfield & Underutilized Properties
APPENDIX E: Charities Bureau Registration and Reporting Exemptions
APPENDIX F: Notices
APPENDIX G: Electronic Payments
APPENDIX X: Modification Agreement Form

IN WITNESS THEREOF, the parties hereto have executed or approved this AGREEMENT on the dates below their signatures.

CONTRACTOR (Lead)

Contract No. C106020

Greater Jamaica Development Corporation

By:


Andrew M. Manshel

(Print Name)

Title: Executive Vice President

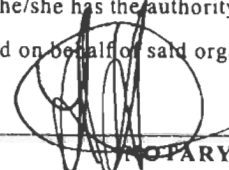
Date: 2/15/12

ACKNOWLEDGMENT

State of New York)

County of Queens)ss:

On this 15 day of February, in the year 20 12, before me personally appeared Andrew M. Manshel, to me known, who being by me duly sworn, did depose and say that he/she is the Executive Vice President of Greater Jamaica Development Corp., the organization described in and which executed the above instrument; and that he/she has the authority to sign on behalf of said organization; and that he/she executed the foregoing agreement for and on behalf of said organization.


NOTARY PUBLIC

LISANDRO KELLIS
Notary Public, State of New York
No. 01KE823117
Qualified in Queens County
Term Expires June 7, 2014

STATE AGENCY:

Contract No. C106020

New York State Department of State

By:

Judith E. Kenny
Judith E. Kenny
~~DOA~~ Director of Administration
and Management

Title:

Date:

3/9/12

State Agency Certification

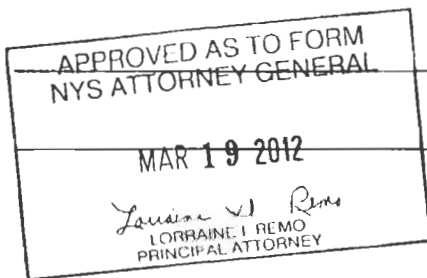
"In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract."

Approved:

Attorney General:

By:

Date:



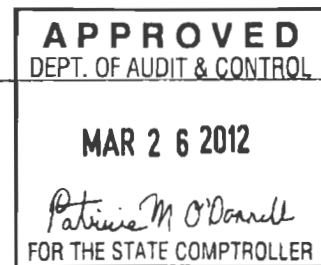
Approved:

Thomas P. DiNapoli

State Comptroller

By:

Date:



FACE PAGE

STATE AGENCY (Name and Address): NYS Department of State One Commerce Plaza 99 Washington Avenue - Suite 1010 Albany, NY 12231-0001	NYS COMPTROLLER'S #: C303862 ORIG. AGENCY CODE: 19000 TYPE OF PROGRAM: Brownfield Opportunities Area Program
CONTRACTOR (Name and Address): Harlem Congregations for Community Improvement 2854 Frederick Douglass Boulevard New York, NY 10039	STATE SHARE FUNDING AMOUNT FOR INITIAL PERIOD \$138,879 LOCAL SHARE FUNDING AMOUNT FOR INITIAL PERIOD \$15,431
FEDERAL TAX IDENTIFICATION NUMBER: 13-3516262 MUNICIPALITY # (If applicable)	INITIAL CONTRACT PERIOD: FROM: March 7, 2008 TO: March 6, 2013

STATUS: Contractor is ()/is not (X) a Sectarian Entity Contractor is (X)/is not () a Not-for-profit Organization. Charities Registration Number <u>CA-49-08</u> /Exemption (E-1) - ____ Estates, Powers and Trusts Laws Reporting Exemption (E-2) - ____ If you did not claim an exemption to both of the items above, you must check the applicable response in the following statement: Contractor has (X)/has not () timely filed with the Attorney General's Charities Bureau all required periodic or annual written reports.

APPENDICES ATTACHED TO AND PART OF THIS AGREEMENT

APPENDIX A:	Standard clauses as required by the Attorney General for all state contracts
APPENDIX A1:	Agency-specific clauses; including:
Attachment 1:	Final Project Summary Report
Attachment 2:	Minority and Women-owned Business Enterprises (MWBE) Program Quarterly Contractor Report
Attachment 3:	Project Status Form
APPENDIX B:	Budget
APPENDIX C:	Payment and Reporting Schedule
APPENDIX D:	Program Work Plan
APPENDIX E:	Charities Bureau Registration and Reporting Exemptions
APPENDIX F:	Notices
APPENDIX X:	Modification Agreement Form (to accompany modified appendices for changes in term or consideration on an existing period or for renewal periods)

IN WITNESS THEREOF, the parties hereto have executed or approved this AGREEMENT on the dates below their signatures.

Contract No. C303862

CONTRACTOR

Harlem Congregations for Community
Improvement

By: Lucille L. McEwen
(Print Name)

Title: President

Date: 8/26/09

STATE AGENCY:

New York State Department of State

By: Judith E. Kenny
JUDITH E. KENNY
Deputy Director of Administration
and Management

Title: _____

Date: 11/13/10

State Agency Certification

"In addition to the acceptance of this contract,
I also certify that original copies of this
signature page will be attached to all other
exact copies of this contract."

ACKNOWLEDGMENT

State of New York)
County of New York)ss:

On this 26th day of August, 2009, before me personally came
Lucille L. McEwen to me known, who, being by me duly sworn, did depose and say
that he/she/they reside(s) in 261 W. 138th Street, New York, NY
(if the place of resident is in a city, include the street and street number, if any, thereof); that
he/she/they is(are) the President (title of officer or employee) of the
Harlem Congregations for Community Improvement, Inc. (name of municipal corporation), described in and which
executed the above instrument; and that he/she/they signed his/her/their name(s) thereto by authority
of the governing body of said municipal corporation.

[Signature]
NOTARY PUBLIC

FRANCES CONNOR BOGARDUS
Notary Public State Of New York
No. 0190619550
Qualified in Bronx County
Commission Expires Oct. 27, 2012

Approved:

Attorney General:

By: [Signature]
APPROVED AS TO FORM
NYS ATTORNEY GENERAL
JAN 29 2010
LORRAINE I. REMO
ASSOCIATE ATTORNEY

Date: _____

Approved:

Thomas P. DiNapoli
State Comptroller

By: [Signature]
APPROVED
DEPT. OF AUDIT & CONTROL
FEB 22 2010
FOR THE STATE COMPTROLLER

Date: _____

FACE PAGE

STATE AGENCY: NYS Department of State One Commerce Plaza 99 Washington Avenue - Suite 1010 Albany, NY 12231-0001	NYS COMPTROLLER'S #: C096006 ORIG. AGENCY CODE: 19000 TYPE OF PROGRAM: Brownfield Opportunities Areas Program
INITIAL CONTRACT PERIOD: FROM: 10/07/09 TO 10/06/14	STATE SHARE FUNDING AMOUNT FOR INITIAL PERIOD \$214,596 LOCAL SHARE FUNDING AMOUNT FOR INITIAL PERIOD \$23,844
CONTRACTOR: UPROSE, Inc. 166 A, 22nd Street Brooklyn, NY 11232 Federal Tax Identification Number: 11-2490531 Municipal Code #: For Non-Municipal Entities, complete Contractor Status Section.	CONTRACTOR STATUS: Sectarian Entity Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not-for-Profit Organization. Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Charities Registration Number 05-77-98 (E-1) - <input type="checkbox"/> Estates, Powers and Trusts Laws Reporting (E-2) - <input type="checkbox"/> If you did not claim an exemption to both of the items above, you must circle appropriate response in the following statement: Contractor <u>has</u> has not timely filed with the Attorney General's Charities Bureau all required periodic or annual written reports.

APPENDICES ATTACHED TO AND PART OF THIS AGREEMENT

APPENDIX A: Standard clauses as required by the Attorney General for all state contracts

APPENDIX A1: Agency-specific clauses; including:

- Attachment 1: Final Project Summary Report
- Attachment 2: Minority and Women-owned Business Enterprises (MWBE) Program Quarterly Contractor Report
- Attachment 3: Project Status Form
- Attachment 4: Procurement Certification

APPENDIX B: Budget

APPENDIX C: Payment and Reporting Schedule

APPENDIX D: Program Work Plan

- Attachment A: Document Style Requirements
- Attachment B: Information Sources for Descriptive Profiles
- Attachment C: Descriptive Profile of Brownfield & Underutilized Properties

APPENDIX E: Charities Bureau Registration and Reporting Exemptions

APPENDIX F: Notices

APPENDIX G: Electronic Payments

APPENDIX X: Modification Agreement Form (to accompany modified appendices for changes in term or consideration on an existing period or for renewal periods)

IN WITNESS THEREOF, the parties hereto have executed or approved this AGREEMENT on the dates below their signatures.

CONTRACTOR

Contract No. C096006

UPROSE, Inc.

By: Elizabeth C. Yeampierre
Elizabeth C. Yeampierre
(Print Name)

Title: Executive Director

Date: 5/13/10

ACKNOWLEDGMENT

State of New York)

County of Kings)ss:

On this 13 day of may, in the year 20 10, before me personally appeared Elizabeth Yeampierre, to me known, who being by me duly sworn, did depose and say that he/she is the _____ of _____, the organization described in and which executed the above instrument; and that he/she has the authority to sign on behalf of said organization; and that he/she executed the foregoing agreement for and on behalf of said organization.

Marina Ovtchinnikova
NOTARY PUBLIC

MARINA OVTCHINNIKOVA
Notary Public, State of New York
No. 01OV6077008
Qualified in Kings County
Commission Expires July 1, 2010

2:10 SEP 28 PM 12:18

NOTARY PUBLIC
STATE OF NEW YORK
KINGS COUNTY

STATE AGENCY:
New York State Department of State

Contract No. C096006

By: Judith E. Kenny
Judith E. Kenny
(Print Name)

Title: DOS Director of Administration
and Management

Date: 10/8/10

State Agency Certification

"In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract."

Approved:
Attorney General:

By: APPROVED AS TO FORM
NYS ATTORNEY GENERAL
Date: OCT 14 2010
Lorraine I. Remo
LORRAINE I. REMO
ASSOCIATE ATTORNEY

Approved:
Thomas P. DiNapoli
State Comptroller

By: APPROVED
DEPT. OF AUDIT & CONTROL
Date: NOV 23 2010
Kristen Clark
FOR THE STATE COMPTROLLER



November 27, 2012

Dr. Daniel Walsh
Director of the Mayor's Office of Environmental Remediation
City of New York City
100 Gold Street, 2nd Floor
New York, New York 10038

Re: USEPA Brownfields Revolving Loan Fund Grant Application

Dear Dr. Walsh:

The NYC Brownfield Partnership is pleased to provide this letter in support of your USEPA Brownfields Revolving Loan Fund Grant application.

As you are aware, the NYC Brownfields Partnership is an association comprised of over 40 community-based organizations, environmental businesses, brownfield industry professionals, consulting firms, and local community development corporations and community groups. Our mission is to serve the community by:

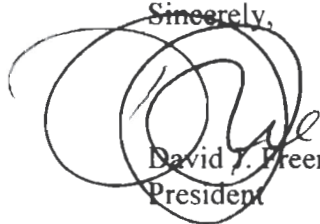
- Serving as a primary resource for information on brownfields and brownfields redevelopment in New York City.
- Advancing public awareness and understanding of benefits, opportunities, and best practices of brownfield redevelopment.
- Promoting excellence in brownfield redevelopment by honoring successful brownfield projects.
- Supporting the education and training of brownfield professionals, workers, and students.
- Fostering collaborative relationships among brownfield developers, property owners, government agencies, and community groups.

We applaud and wish to support the City's efforts to fund investigation of brownfield sites slated to become preferred community development projects. To this end, the Partnership would like to make available to participants in such projects its pro-bono environmental referral service that seeks to provide developers, land owners, local development corporations, and community-based organizations with advice on how to manage properties that require investigations and cleanups. The Partnership has budgeted a minimum of 50 hours of senior environmental attorney and/or senior technical consultant time, valued at a minimum of \$15,000, being provided annually on a pro bono basis in connection with this referral service.

Dr. Daniel Walsh
City of New York City
November 27, 2012
Page 2 of 2

The Partnership also supports development of future brownfield leaders through our internships and scholarship program. Over the past three years, over \$30,000 in scholarship funding has been awarded. In the upcoming year, we anticipate awarding a total of \$10,000 to another five recipients of our Abbey Duncan Brownfield Scholarship.

We thank you for the opportunity to partner with you on this new initiative to support these brownfield projects.

Sincerely,

David J. Freeman, Esq.
President



Office of Environmental
Remediation



What is the Brownfield Incentive Grant (BIG) Program?

The NYC Brownfield Incentive Grant (BIG) Program provides an easy and flexible way to reduce the cost of Brownfield redevelopment in New York City. Grants assist brownfields throughout the development process, from the earliest stages of information gathering through environmental investigation and cleanup work. Grants are intended to make redevelopment on Brownfield sites more competitive with clean properties.

What services and activities are fundable?

The BIG Program offers funding for over 100 individual environmental and land development services including Phase I Environmental Site Assessments, pro formas, geophysical studies, soil sampling, groundwater sampling, vapor sampling, Phase II Reports, Remedial Investigation Work Plans, soil removal, paving, contaminated soil removal and disposal, Remedial Action Work Plans and environmental insurance. For a comprehensive list of eligible services and activities see the BIG Program Technical Specifications document at www.nyc.gov/BIGapplications.

What types of projects are eligible?

Generally, eligible projects are sites within NYC with the presence or likely presence of any hazardous substance within the property boundary. The BIG Program provides greater funding to **Preferred Community Development Projects**, such as affordable housing developments, brownfield redevelopment projects within Brownfield Opportunity Area (BOA) boundaries and development projects that will provide amenities to local communities such as open space or community facilities. Projects must be enrolled in the NYC Brownfield Cleanup Program to be eligible for Cleanup or Environmental Insurance grants.

Want to know more?

For information on the BIG Program or to download a copy of the BIG Program Report visit:

- www.nyc.gov/BIG

To submit an application to the BIG Program or for inquiries about how to become a Qualified Vendor contact the BIG Program Administrator at:

- Grants@NYCBIG.info
- (212) 380-1562

How much funding is available per project?

Most projects are eligible for up to \$60,000 in grant funding, with an add-on \$25,000 bonus grant for any site that is remediated to Track-1 (permanent) clean up standards. **Preferred Community Development Projects** are eligible for up to \$100,000 in grant funding, and are also eligible for the Track-1 bonus cleanup grant. In addition, a Preferred Community Development Project site designated by the NYS Department of State as a BOA Strategic Property is eligible for an additional add-on bonus grant of \$10,000.

Who chooses what vendor performs work at my site?

You do. However, the BIG Program requires that all services and activities eligible for reimbursement be performed by a qualified professional who is registered with the BIG Program as a Qualified Vendor. Applying to become a BIG Program Qualified Vendor is a simple, non-competitive process and applications are accepted on a rolling basis.

Brownfield Incentive Grant Program Technical Specifications

Eligible Services and Activities Minimum Performance Standards & Required Qualifications for Professionals

The New York City Mayor's Office of Environmental Remediation (OER) has established the New York City Brownfield Cleanup Program (NYC BCP) to promote the cleanup and redevelopment of brownfield properties in the City of New York. Through its Brownfield Incentive Grant (BIG) Program, OER provides financial incentives for public and private entities redeveloping local brownfields. These grants are available both for brownfield projects enrolled in the NYC BCP and those that are completing preliminary project pre-development design and environmental investigation work without being enrolled in the NYC BCP. Applications for grants may be found at the OER BIG Program website: www.nyc.gov/BIGapplication.

This document presents important information about the BIG Program including a listing of all services and activities that are eligible for reimbursement under the BIG Program grants; reimbursement rates for qualified brownfield projects and preferred community development projects; minimum performance standards for work completed using BIG program funds; and a listing of required qualifications for those professionals completing work funded by the BIG Program.

Eligible Services and Activities / Reimbursement Rates.....	Table 1
Minimum Performance Standards for Work Performance, Reporting.....	Table 2
Requirements and Deliverables	
Required Qualifications for Professionals.....	Table 3

How to Receive More Information about BIG Program Grants

The BIG Program offers several different types of grants aimed at providing assistance for various stages of brownfield redevelopment. Different types of projects are eligible for different grants at varying levels of funding, as described in the BIG Program regulations. For more information about BIG Program Grants, including details regarding eligibility, grant awards and grant-eligible activities and services, potential applicants are encouraged to review the regulations for the BIG Program at the OER web site: www.nyc.gov/BIGapplication. For additional information or questions, contact the BIG Program Administrator at (212) 380-1562 or via email at Grants@NYCBIG.info.

**Table 1: Eligible Services and Activities / Reimbursable Allowance for
Work Funded by the New York City Brownfield Incentive Grant Program**

All listed prices are inclusive of all subcontractor, professional oversight, materials and equipment costs. The Reimbursement Allowance amounts presented below represent the maximum amounts a specific service and/or activity will be funded. An eligible service and/or activity is funded after approval of submitted invoices by a Qualified Vendor, a requisition and minimum performance standards documentation.

Pre-Development Design Grant and Environmental Investigation Grant awards and award limits are increased for projects qualifying as a **Preferred Community Development Project**. Such projects include: *Affordable Housing Developments, Brownfield Opportunity Area compliant developments, and Community Facility Developments*. Technical Assistance Grants are available only to not-for-profit developers of a Preferred Community Development Project.

Pre-Enrollment Grants			
Activity	Unit	Reimbursable Allowance for Qualified Brownfield Projects	Reimbursable Allowance for Preferred Community Development Projects¹
Pre-Development Design Grants			
<i>Title insurance/ Title search</i>			
Full coverage	each	\$765	\$1,020
Limited coverage	each	\$382.50	\$510
Non-Insured reports	each	\$255	\$340
<i>Project Feasibility Study</i>			
Market analysis	each	\$765	\$1,020
Concept plans	each	\$765	\$1,020
Pro-forma financial	each	\$765	\$1,020
Zoning analysis	each	\$765	\$1,020
<i>Other Services</i>			
Community Outreach	each	\$956.25	\$1,275
Site survey	day	\$956.25	\$1,275
Phase 1 ESA	each	\$1,593.75	\$2,125

¹ This column applies to preferred community development projects.

**Table 1: Eligible Services and Activities / Reimbursable Allowance for
Work Funded by the New York City Brownfield Incentive Grant Program**

Enrollment Grants		
Activity	Unit	Reimbursable Allowance
Cleanup Grants		
<i>Work plans</i>		
Remedial Action Work Plan or Remedial Action Plan (approved by OER)	each	\$2,500
<i>Soil Removal</i>		
Disposal - Soil, Hazardous (does not include trans.)	ton	\$102
Disposal - Soil, Non-Hazardous (does not include trans.)	ton	\$43
Waste characterization	sample	\$208
Mobilization/demobilization -one time allowable per site per machine	each	\$425
Loader/backhoe w/operator	day	\$808
Small Trackhoe w/operator J Deere 200LC or equivalent)	day	\$1,190
Large Trackhoe w/operator (Cat 325 or equivalent)	day	\$1,445
Skid Steer Loader w/operator	day	\$595
Dump Truck w/operator (approx. 12 yd3)	day	\$340
Dump Truck, Tandem - Triaxle w/operator (25 yd3)	day	\$765
Roll off Box (20 yd3)	each	\$510
Vacuum Truck w/operator	hr	\$77
Post-excavation soil sample collection	day	\$680
<i>Backfill</i>		
Recycled Concrete Aggregate	ton	\$13
Certified Clean Fill Material	ton	\$17
Top Soil	cy	\$21
<i>Engineering Controls (cap emplacement)</i>		
Clean fill/ gravel	ton	\$17
Top soil	cy	\$21
Asphalt (2in. compacted asphalt on 2 in gravel base minimum)	sf	\$3.80
Cement paving (4 in. minimum)	sf	\$4.25
<i>Institutional Controls</i>		
Declaration of Covenants and Restrictions	each	\$2,125
<i>Reports</i>		
Remedial Action Progress Report	each	\$850
Remedial Action Report or Closure Report (approved by OER)	each	\$2,500
<i>Lab Analysis</i>		
<i>Metals (Soil/Water)</i>		
Priority Pollutant metals (13 metals)	sample	\$83
Total RCRA metals (8 metals)	sample	\$53
Target Analyte List metals (23 Metals)	sample	\$129

Table 1: Eligible Services and Activities / Reimbursable Allowance for Work Funded by the New York City Brownfield Incentive Grant Program

Enrollment Grants		
Activity	Unit	Reimbursable Allowance
Cleanup Grants		
<i>Lab Analysis</i>		
<i>Organics (Soil/Water)</i>		
Base Neutrals	sample	\$115
Base Neutrals + 10 or 15	sample	\$128
Base Neutrals/Acid Extractables (Semi-volatile Organics)	sample	\$204
BTEX	sample	\$41
BTEX + MTBE + TBA	sample	\$41
Herbicides	sample	\$77
PAHs	sample	\$115
PCBs	sample	\$51
PCBs in Oil	sample	\$41
Pesticides	sample	\$51
Volatiles	sample	\$68
Volatiles + 10 or 15	sample	\$77
Volatiles (Drinking Water)	sample	\$105
Volatiles (Drinking Water) + 10 or 15	sample	\$115
Target Compound List (VO+10, BNAE+20, Pest/PCB)	sample	\$408
<i>Organics (Air)</i>		
TO-15	sample	\$272
<i>Group Tests</i>		
ID-27 (TCLP Metals, TPH, PCBs, Reactive CN & S, Ignitability, pH)	sample	\$183.75
Priority Pollutants + 40 (VO+15, BNAE+25, Pest/PCB, 13 Metals, CN, Phenol)	sample	\$471.75
RCRA Characteristics (Reactive CN & S, Ignitability, Corrosivity)	sample	\$45
TCLP-Full (8 Metals, VO, BNAE, Pesticides, Herbicides)	sample	\$449.25
Environmental Insurance Grants		
For environmental insurance grants, eligible services and/or activities shall include purchase of Pollution Legal Liability Insurance and Cleanup Cost Cap Insurance. The total amount of reimbursable expenses may not surpass the grant limit established in Section §43-1422 or Schedule A of the BIG Rule.		

**Table 1: Eligible Services and Activities / Reimbursable Allowance for
Work Funded by the New York City Brownfield Incentive Grant Program**

Enrollment Grants		
Activity	Unit	Reimbursable Allowance
<i>Enrollment Technical Assistance Grants</i>		
Eligible services for Enrollment Technical Assistance Grants include consulting services for activities including, but not limited to, assistance in the planning and execution of a brownfield project; development and/or review of documents required by the brownfield financial incentive grant program or the NYC brownfield cleanup program, including applications, agreements, statements of work, scopes of work, work plans, or reports; selection of qualified vendors; preparation of a budget; project planning; and review of brownfield project sequencing and scheduling. The BIG Program will fund \$71.25 per hour for professional consultation; any amount above this rate is the responsibility of the grantee. Professional consultation may be provided by, for example, environmental consultants, professional engineers, community based organizations, attorneys, architects, or planners.		
Activity	Unit	Reimbursable Allowance³
Professional Services	hr	\$71.25

Brownfield Opportunity Area Grants		
<i>BOA Application Technical Assistance Grants</i>		
Eligible services for Brownfield Opportunity Area Application Technical Assistance Grants include professional services utilized to assist in preparation of the BOA application. The BIG Program will fund \$71.25 per hour for professional consultation; any amount above this rate is the responsibility of the grantee. Professional consultation may be provided by, for example, environmental consultants, grant writers, community based organizations, professional engineers, attorneys, architects, or planners.		
Activity	Unit	Reimbursable Allowance
Professional	hr	\$71.25
<i>BOA Local Match Grants</i>		
For Brownfield Opportunity Area (BOA) Local Match Grants, eligible services and/or activities must be reasonable, relevant, and directly related to the BOA scope of work. In order for these eligible costs to be disbursed, they must be for local match activities listed in a work plan approved by the New York State Department of State pursuant to an executed State Assistance Contract. See BOA Program guidance for questions or clarification regarding eligible and ineligible costs. The total amount of reimbursable expenses may not surpass the grant limit of the lesser of \$25,000 or 10% of the Brownfield Opportunity Area Grant award.		

³ This column applies to preferred community development projects where the developer is a not-for-profit corporation.

Table 1: Eligible Services and Activities / Reimbursable Allowance for Work Funded by the New York City Brownfield Incentive Grant Program

Hazardous Materials E-Designation or Restrictive Declaration Remediation Grants		
Eligible activities for E-Designation or Restrictive Declaration Grants are shown below and are selected automatically. These projects are eligible for reimbursement at a maximum of \$5,000. Invoiced charges should be equal to or exceed \$2,500 for each Report to ensure maximum grant award.		
Activity	Unit	Reimbursable Allowance
Remedial Action Plan (Approved by NYCDEP or OER)	each	\$2,500
Closure Report (Approved by OER)	each	\$2,500

HOME
NEW YORK CITY
PRESS



Contact Information:
Press Office: (800) 260-7313
pressoffice@esd.ny.gov

New York City Regional Economic Development Council Submits One-Year Progress Report

NYCREDC Endorses Five Priority Projects for 2012 CFA Round Competition
(September 17, 2012)

New York City Regional Economic Development Council Submits One-Year Progress Report

The New York City Regional Economic Development Council submitted its one-year progress report to the State on September 14, 2012, which provides detail on the Council's achievements in implementing its five year strategic plan. The report includes a description of how the Council established a framework to advance the plan, revisions to some of its strategies, an implementation agenda and a tracking of the advancement of priority job-creating projects awarded in 2011. Additionally, the NYCREDC provided the State with its list of the five priority projects the Council has endorsed for the second round of the Regional Council competition.

The progress report can be found at <http://regionalcouncils.ny.gov/content/new-york-city>.

"The Regional Council initiative has transformed economic development in our city and across New York State. The Council has become an invaluable forum for businesses, nonprofits, community groups, and individuals to discuss strategies and plans to create jobs and generate regional economic growth," said Matthew Goldstein, chancellor, The City University of New York and Regional Council co-chair. "The Council worked tirelessly last year to identify the region's best projects, and all of the projects funded in 2011 are successfully moving forward. This year we have focused on refining our strategies and strengthening our implementation program, and through robust public participation and Council discussion we have made important adjustments to ensure a strong, effective plan for a more prosperous New York City."

The New York City Regional Economic Development Council (NYCREDC) emerged in 2012 as an open and creative forum where community representatives, government agencies, business, labor, and academic leaders and project sponsors engaged in planning, discussion and debate over economic development proposals, policies and investment decisions for the five boroughs. During the 10 months since the completion of the Regional Strategic Plan for New York City, the Council has become more cohesive and more visible in the City and State, bringing additional transparency and ground-up engagement to local economic development planning and implementation. Council members themselves have become a new and unique point of access for project sponsors and advocates seeking to make the case for projects they believe will be transformational for their communities.

During the first three quarters of 2012, the NYC Regional Economic Development Council has updated its Strategic Plan in order to be responsive to Regional Council Guidelines and to the team of strategic plan reviewers, which assessed the region's original Strategic Plan submission. Key adjustments include:

Highly focused attention to measurable accomplishments to be achieved in "opportunity zones," those formerly distressed communities that the Council has targeted for priority investment in redevelopment;

A refined implementation program in which Council members are actively engaged in outreach to the broader community to identify and gather information about important economic development projects and to secure community and project sponsor feedback on progress and challenges; and

Amplification of the commitment to workforce development and training as a critical factor in economic growth and inclusiveness;

Priority projects identified in the 2011 plan are moving forward with accelerated implementation as a result of the attention and focus provided through the regional Council process:

The Hunts Point Terminal Produce Market redevelopment project has identified all needed funding; it is anticipated that the agreement to advance the redevelopment project will be finalized in fall 2012.

Food industry partnerships are emerging between upstate agricultural groups and local developers, including the potential location of a distribution center for Mid-Hudson Valley farmers at **Create@Harlem Green**.

First-round State and City funding for renovation of a green manufacturing facility in the Brooklyn Navy Yard is in place and construction is under way. This project demonstrated the unique capacity of the Navy Yard to serve as a model for a new kind of New York industrial park featuring advanced manufacturing and high-tech jobs. As a result, two additional projects in the Navy Yard are being proposed for 2012-13 funding.

In November 2012, applications will open for SeedStart, a high-tech accelerator program that will select entrepreneurs from across New York State to participate in an early stage, 12-week program to refine their product offerings and gain access to venture funding and the New York City market.

Mayor Bloomberg has announced three new projects as part of the city's Applied Sciences Initiative – one a partnership between Cornell University and the Technion-Israel Institute of Technology, to be located on Roosevelt Island, another a consortium of universities led by New York University, to be located near NYU-Poly in Downtown Brooklyn, and a significant expansion of Columbia University's engineering school. The Applied Sciences Center on Roosevelt Island is moving ahead with development plans and, in the interim, has announced a fall 2012 start, utilizing a temporary campus provided within Google's New York City headquarters.

The following five projects were endorsed by the Council and submitted to the State as regional priorities for the second round of the Regional Council initiative's competitive grant funding process:

Connect NYC Broadband Connectivity Program - This \$13 million project would address digital deserts in Industrial Business Zones in the Bronx, Brooklyn, Staten Island and Queens by building out fiber optic networks, with potential to serve 260 buildings over a two-year period. It is consistent with the Connect NY program announced by Governor Cuomo on August 21 and advances the Council's strategy of supporting the development of high-tech industry clusters that include the most economically distressed areas of the five boroughs. The project will result in 78 construction jobs and 270 new permanent jobs.

New Lab - At a cost of \$23.2 million, Macro Sea, Inc. plans to convert two wings of the Brooklyn Navy Yard Green Manufacturing Center, a former shipbuilding factory, into New Lab, a facility that promotes collaboration between the disciplines of design and fabrication. As master tenant, Macro Sea will transform 48,502 square feet of this space and another 30,000 square feet of newly constructed mezzanine space into a high-tech design and prototyping center that will enhance the Brooklyn Navy Yard Development Corporation's initiative to become a national model for sustainable industrial parks. This project, which will result in 150 construction jobs and 410 new jobs, and help retain 30 existing jobs, will advance the Regional Council strategies of generating new high-tech manufacturing jobs through partnerships between business and universities, and contributing to development of innovation industry clusters that will allow the city to continue to diversify and grow its economy.

New York City Wetlands Mitigation Bank - This \$10 million project will establish a mitigation bank to facilitate waterfront development and restoration of 10 acres of targeted wetlands in New York harbor. The program will provide seed financing to fund a restoration project in one of three potential mitigation bank pilot sites: 1) Sunset Cove Park (Jamaica Bay), 2) Saw Mill Creek (Staten Island) and 3) Ferry Point Park (Bronx). Costs would include design, demolition, remediation, construction, and restoration. Public projects might include

new ferry landings, waterfront esplanades and open space, upgrades to sewer infrastructure, and rehabilitated roads and bridges. Private projects in the pipeline include: development of a 170,000-square-foot industrial warehouse facility on Westchester Creek (Bronx); transport of bulk materials by barge rather than by increased truck traffic on local roads, by a recycling scrap business on Newtown Creek (Queens & Brooklyn); and expansion of ship maintenance and repair operations by a shipyard (Staten Island's North Shore). The program will leverage an estimated \$576 million in infrastructure investment at 60 project sites, including 18 private waterfront projects and 42 public projects. The project will result in 120 construction jobs, and up to 3,500 new permanent jobs over five to seven year period from private and public development.

REDC Brownfield Cleanup and Development Grants - New York City is seeking State funding, to leverage federal and city funds, to provide direct grants to fund cleanup activities on approximately 60 brownfield projects in low-income and underserved communities throughout all five boroughs of New York City. The City Office of Environmental Remediation will provide oversight of development; review and approval of investigation reports; development, review and approval of cleanup plans; and inspection of each of the 60 development projects. These grants, to be called REDC Brownfield Cleanup and Development Grants, will be awarded in the amount of \$25,000 per project and will reimburse developers for eligible cleanup costs on projects that lead to the creation of 7,205 construction jobs and 3,250 permanent new jobs and \$1 billion of private investment, including over 1.2 million square feet of commercial development, and over 1,500 new units of housing, including 1,000 affordable housing units.

Brooklyn Navy Yard Steiner Studios Media Campus Phase III - The \$110.25 million project includes the construction of nearly 100,000 square feet of new soundstages to meet the critical demand in New York for space in which to shoot television shows and commercials, and the first New York City outdoor streetscape backlot. The project also includes site preparation and preconstruction activities that will ultimately enable over 460,000 square feet of new space to be built for academic partners and media companies in renovated historic structures and new buildings. Public funding will provide the necessary water/sewer/gas/electric infrastructure loop to make site development possible. In addition to Steiner Studios, partners in the project include Brooklyn College-CUNY Graduate School of Cinema, Carnegie Mellon University, Syracuse University and other SUNY colleges. Phases 4 and 5, to follow this stage of investment, will involve \$274 million of additional investment (representing a more than 9 to 1 private to public funding ratio). In total, phases 3, 4 and 5 of the project will result in 2,600 construction jobs and 2,500 full-time jobs.

Governor Cuomo created Regional Councils and the Consolidated Funding Application (CFA) to fundamentally change New York's operating model for economic development and job creation. The Regional Councils have transformed the way the State invests in economic development, shifting from a top-down approach to a community-based, performance-driven model which empowers individual regions to develop, invest in, and advance regional solutions and job-creating projects to spur economic growth.

Last year, \$785 million was awarded for job-creating economic and community development projects consistent with each region's strategic plans. To build on the success of the first round, a second round of up to \$762 million in State resources was launched in 2012. Funding for the second round includes \$220 million in competitive grant funding (\$150 million in capital and \$70 million in tax credits) to implement regional strategic plans and continue to advance priority job-creating projects, and up to \$542 million from State agency programs through the CFA to support regionally-significant economic development projects.

Five awards of \$25 million will be made, and the competition will have two parts:

First, the four regions with the 2011 Best Plans will compete for two awards of up to \$25 million each in capital funds. Awards will be made based on the progress the Regional Councils have made implementing their strategies and evolution of their strategic plans

Second, the remaining six regions will compete for three awards of up to \$25 million each in capital funds. Awards will be made based on the regions' revised and updated strategic plans and progress made implementing their strategies

The balance of the \$25 million in capital will be available for priority projects in the remaining five regions. In addition, each region will also be eligible for up to \$10 million in Excelsior Tax Credits to help attract and grow business in the region.

Following the submission of each region's one-year progress reports, beginning in mid-September, the Strategic Implementation Assessment Team will visit each of the 10 regions, to hear oral presentations and participate in a tour of the Councils' implementation activity and priority projects. These tours will

make New York's economic development process more transparent, open and publicly-accessible. Funding awards for the second round of the CFA process are expected to be announced this fall.

As part of "The New New York Works for Business" campaign, the State has launched a new website – **www.thenewNY.com** – which provides quick access to information for all areas of business assistance available from New York State. From starting a business, to accessing tax credits and funding incentives, to international trade, to regional assistance, this is a one-stop shop for all businesses to successfully thrive in New York.

To learn more about each Regional Council and their economic development plans, visit **www.regionalcouncils.ny.gov**.

 Printer-friendly version

###

City of New York
EPA RLF Grant Proposal

Attachment F:
Special Considerations Checklist

New York City RLF Application - Special Consideration Checklist

Please identify (with an *x*) if any of the below items apply to your community or your project as described in your proposal. EPA will verify these disclosures prior to selection and may consider this information during the evaluation process.

- ☐ Community population is 10,000 or less
- ☐ Federally recognized Indian tribe
- ☐ United States territory
- ☐ Applicant assisting a Tribe or territory
- ☐ Targeted brownfield sites are impacted by mine-scarred land
- ☐ Targeted brownfield sites are contaminated with controlled substances

X Community is impacted by recent natural disaster(s) (2005 or later). To be considered, applicant must identify here the timeframe and type of natural disaster.

2012 Superstorm Sandy severely impacted New York City

X Community demonstrates firm leveraging commitments for facilitating brownfield project completion by identifying amounts and contributors of funding in the proposal and have included documentation

X Community experiencing plant closures (or other significant economic disruptions) (2007 or later), including communities experiencing auto plant closures due to bankruptcy or economic disruptions. To be considered, applicant must identify here the timeframe and name of the plant recently closed and jobs lost, or reason for other significant economic disruption.

New York City has been severely impacted by job losses in the current recession. New York State's net job-migration loss was the worst of any state. The bulk of the outmigration loss—89%, or 129,560 jobs—was in NYC. One of the sectors hardest hit was the financial sector, which shed thousands of jobs since 2008 and continues to experience job losses, including Morgan Stanley, Goldman Sachs, JP Morgan Chase, Citi Group, Bear Stearns, Wells Fargo, and Bank of America.

New York City RLF Application - Special Consideration Checklist (Continued)

- X** Applicant is a recipient of a HUD/DOT/EPA Partnership for Sustainable Communities (PSC) grant that is directly tied to the project area, and can demonstrate that funding from a PSC grant has or will benefit the project area. To be considered, applicant must attach documentation which demonstrates this connection to a HUD/DOT/EPA PSC grant.

NY – CT Sustainable Communities Consortium is a 2010 recipient of a Sustainable Communities Regional Planning Grant award of \$3.5 million. Work is to focus on developing mixed-income housing, employment and infrastructure in locations connected by regional commuter rail networks. And in NYC, this means brownfields redevelopment. See attached.

- ☐ Applicant is a recipient of an EPA Brownfields Area-Wide Planning grant
- X** Community is implementing green remediation plans

Memorandum of Agreement for the New York – Connecticut Sustainable Communities Consortium

This Agreement is entered into this tenth day of June, 2011, by and between the New York Metropolitan Transportation Council, the South Western Region Metropolitan Planning Organization, the Greater Bridgeport/Valley Metropolitan Planning Organization, the South Central Regional Council of Governments, the Long Island Regional Planning Council, the City of New York, the Long Island counties of Nassau and Suffolk, the lower Hudson Valley cities of Mount Vernon, New Rochelle, White Plains and Yonkers, the Connecticut Coastal Corridor cities of Norwalk, Stamford, Bridgeport and New Haven, and the Regional Plan Association.

WITNESSETH

WHEREAS, the United States Department of Housing and Urban Development (HUD) has issued a Notice of Funding Availability (NOFA), for the Sustainable Communities Regional Planning Grant Program (the Grant Program) and

WHEREAS, the HUD NOFA requires that a consortium of cities, metropolitan planning organizations (MPOs) and non-profit regional councils and planning organizations be established in metropolitan regions seeking to apply for a planning grant through the Grant Program, and

WHEREAS, the HUD NOFA further requires that the planning area for which the planning grant is to be sought be defined by the boundaries of the MPOs who are members of the consortium applying for a planning grant through the Grant Program, and

WHEREAS, the HUD NOFA further requires that a consortium applying for a planning grant through the Grant Program include cities in the planning area for which the grant is being sought that contain at least 50% of the residential population of the planning area, and

WHEREAS, the HUD NOFA further requires that a consortium applying for a planning grant through the Grant Program include non-profit regional councils and regional planning organizations in the planning area for which the grant is being sought, and

WHEREAS, the HUD NOFA requires that a formal consortium agreement be executed no later than 120 days after the effective start date of the grant agreement with HUD, and

WHEREAS, the HUD NOFA requires that the consortium initiate eligible activities within 120 days of the effective date of the grant award, and

WHEREAS, the HUD NOFA specifies that the Period of Performance shall not exceed 36 (thirty-six) months and that the grant application must include 3–5 (three-to-five) year benchmark performance targets, and

WHEREAS, the HUD NOFA requires that the grantee must liquidate all obligations incurred under the award not later than 90 (ninety) days after the end of the funding period, and

WHEREAS, the HUD NOFA specifies that all applicants achieving a specified threshold score in submission will qualify for Preferred Sustainability Status and that applicants that meet this criterion will qualify for a broad spectrum of benefits including access to capacity building resources and will secure potential points in a number of funding opportunities managed by other federal agencies, and that applicants receiving Preferred Sustainability Status that do not receive funds in this funding round will be able to preserve certain aspects of their application for next year's round of completion; and

WHEREAS, HUD has issued a notice indicating it is granting \$3.5 million in Federal funds for activities specified in the HUD NOFA in a planning area of the New York City metropolitan region defined by the boundaries of one metropolitan planning organization in New York State and three metropolitan planning organizations in the State of Connecticut.

NOW, THEREFORE, in response to the requirements of the HUD NOFA and to receive and execute the HUD funding under the Grant Program, the parties do hereby agree to join together through this Agreement to form a New York-Connecticut Sustainable Communities Consortium (the Consortium) whose primary purpose is to organize and execute a Sustainable Communities Planning Program (the Planning Program) leading to a Program and Execution Plan for Sustainable Development that will integrate and guide regional planning activities using funding received from the HUD Grant Program and following the related requirements laid out in the HUD NOFA.

The parties further agree that the Regional Plan Association (RPA), a not-for-profit regional planning organization, is the member of the Consortium assigned fiduciary responsibilities on behalf of the Consortium, and that, in its role as the fiduciary agent of the Consortium, RPA will act as the grant recipient for HUD funds and will enter into the necessary agreement(s) with HUD to submit the agreed upon deliverables and receive the funds granted on behalf of the Consortium.

The parties further agree that the committees, advisory structures and procedures described in this Agreement are intended to achieve multiple objectives. These include providing meaningful participation in the consortium decision-making process for a wide range of stakeholders, clearly defining implementation responsibilities for defined tasks, and establishing an efficient governance structure that allows timely implementation of the work program. As the program evolves, these procedures will be evaluated and adjusted as necessary and as outlined in Section 6 of this Agreement to best achieve these goals. Any changes will emphasize the Program's goal of engaging residents and stakeholders substantially and meaningfully in strategy development and decision making.

Additionally, the parties agree to the following:

CONSORTIUM AND STEERING COMMITTEE STRUCTURE AND RESPONSIBILITIES

1. The Consortium will be constituted by the organizations and entities entering into this Agreement. The organization of the Consortium and its constituent and advisory bodies is represented in the organization chart in Attachment A of this Agreement.
2. The name of the Consortium will be the New York-Connecticut Sustainable Communities Consortium. The Consortium may choose to publicly identify itself and the Planning Program with a brand or simpler identification.

for the White Plains Metro-North Train Station and North White Plains Metro-North Train Station.

- 11.15.2. The New York Metropolitan Transportation Council will work with the City of White Plains and other communities in the Tappan Zee Bridge/Interstate 287 corridor to identify opportunities to update their comprehensive plans and zoning ordinances to institutionalize mixed-income transit-oriented development in conjunction with major transportation improvements under development in the corridor, including both bus rapid transit and train transit.
- 11.16. **The New York City Department of City Planning will lead a coordinated, interdisciplinary neighborhood planning study of East New York, Brooklyn to identify and advance strategies for building sustainable communities through land use, transportation, education, employment, urban ecology and green technology.**
- 11.17. Nassau County will conduct a feasibility study of sustainable infill development and opportunities to promote transit-oriented development in the vicinity of up to three MTA Long Island Rail Road stations in the Preliminary Regional Nassau Hub Study Area. The County will form a Steering Committee made up of Study Area residents, stakeholders, relevant municipal agencies and County staff to determine the locations to be studied and the types of analyses needed. Among the types of analyses for consideration are economic development and affordable housing opportunities, pedestrian and transportation facility infrastructure improvement and transportation linkages to major potential sites of employment, including the Grumman Property in Bethpage slated for redevelopment.
- 11.18. Suffolk County will develop and implement a Regional Transfer of Development Rights (TDR) study and program that would examine existing local, county and regional TDR programs such as those associated with the Pine Barrens, Suffolk County sanitary credits and local Town programs with particular focus on the five Regional Growth Centers identified with the County's study entitled "A Review of Selected Growth and Development Areas." Selected study areas would include, but not be limited to the Route 110 Office-Industrial Corridor, the Sagtikos Regional Development Zone, the Stony Brook High Tech Campus, Yaphank and the Town of Riverhead.

CONSORTIUM RESPONSIBILITIES

12. The Consortium will execute the activities in Section 11 over the full 36 (thirty-six) months of the period of performance defined in the HUD NOFA and until liquidation of all obligations, such as the performance benchmark requirements, as mandated by the HUD NOFA.
- 12.1. The Consortium will produce all deliverables identified in Schedule B of this Agreement and submit those deliverables to HUD in order to receive Federal reimbursement for the Planning Program per Schedule A.